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Town of Washington [illegible] 1817

Sir, I have the honor to inform you that the Convention who met this place on the 7th Ult. in pursuance of the Act of Congress passed the 1st of March last, did on yesterday, adopt a Constitution and form of Government, for the people of the Western part of the Mississippi Territory, a printed Copy of which I shall transmit to you by the next mail. A certified Copy will be forwarded to the Secretary of State, as soon as can be procured.

I have the honor to be, very
President of United States, Obedient Humble Servant
(Signed) David Holmes

Town of Washington S. M. Augst. 22nd 1817

Sir, I have the honor in obedience to a Resolution of the Convention to transmit to you a Copy of the Constitution of the State of Mississippi.
with great respect
President of United States, Your Obedient Servant
(Signed) David Holmes

Town of Washington August 29th 1817

Sir, I have the honor to transmit to you a Copy of the Constitution of the State of Mississippi. I informed the President, immediately after the Convention adjourned, that they had formed a Constitution and State Government, for the people in the Western part of the Mississippi Territory, Conformably to the Act of Congress passed the first of March last.
I have the honor to be with Consideration
Secy. of State of the United States, Your Obedient Servant
(Sign'd) David Holmes

By David Holmes, Governor of the State of Mississippi

To all who shall see these presents, Greeting

Whereas, Israel Anderson was convicted at a special [illegible] Court in the month of June last, held in and for the County of Adams of Murder in the first degree, and sentenced (in addition to the other punishment which he has received) to be imprisoned for Eighteen Months

Whereas, the Judge who presided at the trial, hath represented to me that the remainder of the imprisonment which he is to undergo

Therefore Know Ye, that in consequence of the said recommendation and for good cause, I do hereby Pardon and remit the remainder of the said Imprisonment which the said Anderson is liable to undergo

Given under my hand

State at the Town of Washington the
30th day of August 1817.

(Signed) David Holmes

Copy of a Letter sent to the Executive of the different States.

Town of Washington State of Miss. Augst. 30th 1817

Sir, I have the honor to transmit to your Excellency a Copy of the Constitution of this State which

I have the honor to be with great respect your
Excellency's obedient Servant
(Signed) David Holmes

Town of Washington September 12th 1817.

Sir, I received your letter of last evening tendering your Resignation as Commander of the Washington Volunteer Rifle Corps, which I have accepted with regret, and the patriotic conduct of the Corps, were it not a matter of record, would justify me in retaining that opinion upon every occasion, you discharged your duty as an Officer, with fidelity and fidelity, and with a zeal for the good of the Country which merits the approbation of your fellow Citizens, and entitles you to my acknowledgments as Commander in Chief of the Militia.

I have the honor to be with great respect
your obedient Servant
(Signed) David Holmes

Capt. Anthony Campbell.

David Holmes Governor of the State of Mississippi
To all Sheriffs, Constables and Coroners within said State;

Whereas the Governor of the State of Georgia hath transmitted to me a
copy and certificate by which certain William Hill with having stolen a negro slave
named Liza, the property of James Vinson a Citizen of the said State of
Georgia, and whereas the said Governor has demanded that the said William Hill
who is a fugitive from Justice and supposed to be within the limits of this
State, may be arrested and delivered to Nathan Vinson whom he has appointed
Agent on the part of the State of Georgia to receive the said William Hill
and convey him to the County of Baldwin in said State; These are therefore
to command you to apprehend the said William Hill if he be found within
your County and deliver him to the said Agent and this shall be your warrant
for so doing. Given under my hand and the seal of the State at the Town
of Washington the 28th September 1817. David Holmes

Same warrant issued to Officers of the Alabama Territory in the following style

David Holmes late Governor of the Mississippi Territory exercising the powers and
performing the duties of Governor of the Alabama Territory.

By David Holmes Governor of the State of Mississippi

## A Proclamation

Whereas there exists cause to believe that the health of the members of the Legislature would be endangered were they to meet at the City of Natchez, at the time appointed for their assembling by the Constitution, in consequence of the Malady which prevails in that City. Therefore be it known, that by virtue of the powers in me vested, as Governor of the State of Mississippi, I do hereby convene the General Assembly at the Town of Washington, and do require that they assemble at the said Town of Washington, on the first Monday of the ensuing month of October, being the day appointed for their first meeting by the Constitution of this State.

Given under my hand and the seal of the State at the Town of Washington the 30th of September 1817

(Signed) David Holmes

## Message of the Governor to both Houses of the General Assembly

Gentlemen of the Senate and Gentlemen of the House of Representatives,

I considered it my duty to exercise the power of convening the general Assembly at a different place from the one pointed out by the Constitution, in consequence of the epidemic disease which made its appearance in the City of Natchez about the middle of the last month. This step was not determined upon until it was ascertained that there existed no probable grounds to hope that the health of the City would be restored by the time appointed for the Legislature to Assemble. The City of Natchez for many years past has been remarkable for its healthiness. In the course of the preceding Summer, the Streets in the lower part of the Town were raised, conformably to the graduation directed by the Officers of the Corporation. The adjacent lots which ought to have been filled up as the public work progressed, were in many instances neglected by the individual owners, the consequence was that in a short time ponds of putrid water were formed in the heart of the City. To this circumstance we may chiefly attribute the cause which either produced the disease, or if brought from any other place gave it an epidemic and malignant character. While we duply deplore the afflicting evil, we have the consolation to hope, from the advanced period of the year that its continuance will not be long, and that in all probability by a proper attention in future, a recurrence of the calamity may be prevented. The change that has recently taken place in our political condition must be gratifying to all who entertain a just pride in the full enjoyment of those privileges, which the institutions of a people united under authority alone can confer: while therefore we acknowledge the fostering and protecting hand of the General Government in the period of our infant State, we cannot be otherwise than pleased that the time has arrived, when we are about to [illegible] all the rights, and

to com under all the obligations incident to a constituent member of the Union nor does this fueling originate in a restless disposition or evidence an aversion to legal and constitutional control so essential to the preservation of that order in society without which national freedom cannot exist: it emanates from a more noble source—from the sacred regard entertained by our Citizens for the great principles of self government, which secure to them in the highest degree the inestimable principles of liberty—principles which can never be toasted of by a people devoted to the support of a government launched upon their own will, and administered for their exclusive benefit advantage.

But, Fellow citizens in congratulating ourselves upon our political advance we ought to recollect, that while it confers additional rights and privileges, it at the same time imposes new and enlarged duties, important, not merely as they concern our internal regulations, but with respect to the relations in which we stand to the General Government.

The structure of the American Republic presents two prominent features upon which the fabric seems to rest—the general government partaking of a federal and consolidated character, is vested with those powers, which could not be efficiently exercised by the States in a disunited capacity, while the States possess all the powers requisite, for the administration of internal affairs. the authority of both being thus delineated it is essential to the maintenance of the entire system, that each should act within their assigned limits. The first may be considered the medium through which the glory, character and strength of the nation is seen, felt and exerted; the second exhibits the domestic policy of the Country, embracing a great variety of objects, all important to the security prosperity and happiness of the community—the are mutually bound to each other in the Constitutional exercise of their respective duties and to observe a reciprocal vigilance against the assumption of powers by the one which properly appertains to the other.

In no age or country was there ever devised a system so admirably calculated to render a government strong and durable, while it secures to each citizen the enjoyment of every privilege, not inconsistent with the good of the whole: a system that never can be destroyed or consumated, but by a demonstration of virtue and intelligence in the great body of the people by whose authority it was created for whose benefit it exists.

This being the first General Assembly convened since the adoption of the State Government, the duties which devolve on you Gentlemen, who compose it, are of great and in some instances of lasting importance to your constituents.

The principal matters of legislation, which will of course occupy your deliberations are designated in the Constitution; it will not therefore be necessary for me to call your attention especially to the several powers and duties therein delegated to, and enjoined upon the Legislature; the instrument itself will be your best guide. I cannot however refrain from adverting to some

principal duty[ies] a check in the course of the present session you may deem your duty to act upon. From existing circumstances the organizing the Judicial department has a claim to your early attention. Upon this subject the Constitution leaves to the Legislature the exercise of much discretion. This was obviously expected in order to provide for that increase of population and extension of circulation which must happen in the course of events. It is for you to determine what system &c of Judges will be required at present, to discharge the duties, and whether it will be expedient at this time to assign to the appellate and circuit Courts, Judges, distinct from those who may be appointed for the several districts.

By the Constitution the Judiciary is placed upon a footing as independent as that of any other State in the Union. I persuade myself confident, that you will consider it important, that the appointments should be filled with men learned in the laws, of undoubted integrity, and of an independence of character which cannot be shaken by circumstances unconnected with a faithful and rightful discharge of their duties. In all free governments, the acts of the Judiciary are of more immediate consequence to the safety and tranquility of society than that of any other department. The pronounce not only what the law is, between contending individuals, but between the public and those who may be charged with public offences; & the security of life, liberty, and property, may be considered as united with the purity and intelligence of those who fill the seats of Justice.

It is an acknowledged political truth, tested by experience of our own Government, that the Citizens capable of bearing arms, are chiefly to be relied on for the defence of a free people, it is therefore evidently important to the safety of the Community, that the Militia should be so organized and on such a plan of discipline, as to render them prompt & efficient upon all occasions, requiring the employment of military force. Your power, gentlemen, under the Constitution, are sufficiently ample, to enable you to adopt that course which you may deem best calculated to attain this desirable end; and I entertain no doubt, but your measures will have in view the support of that high reputation, for courage and patriotism which the Militia so justly earned by their services and privations under the Territorial Government during the late war. In regulating the mode of appointing Officers, which is left entirely to the discretion of the Legislature I would beg leave to suggest the propriety of its being made the duty of Generals of brigades and divisions to recommend suitable persons to fill the staff appointments, that may be attached to their respective commands, and Colonels should recommend a fit person to act as adjutant of his Regiment.

By the Constitution you are invested with the authority to enact laws to prevent Slaves from being brought into this State, for the purpose of

being disposed of as merchandize. Under existing circumstances, I a
aware gentlemen, of the difficulty you will find in devising any mode
will be adequate to put an entire end to this odious traffic; but I trust th
your wisdom you will be enabled to adopt such measures as may in some de
lessen the evil. As the practice is now prohibited by most of the States wher
domestic slavery is tolerated, it is evident that great numbers will be brou
to this State, and principally those of the most vicious character, unless by
means we can render the trade at least precarious to those who engage in
I am fully persuaded gentlemen that you will deem this subject wor
of your most serious consideration.

The act passed by the Territorial Legislature at their last Session provid
for the translation and preservation of the Spanish Records enabled me to
obtain the services of a gentleman eminently qualified to perform the dut
prescribed by that law. As many of the records related merely to contr
respecting personal estate, which from the lapse of time could be considered
important, the claims on which they were founded being barred by the exi
laws, I deemed it proper with the view to prevent unnecessary expenditure
public money, to limit the labors of the translator to such documents as re
to real estate and slaves; the work will be in a short time completed, and
trust, in a manner that will prove useful both to individuals and the public

The accounts and vouchers for the money advanced by the territory for the u
of the general government, were forwarded for settlement last fall, a lett
received from the Auditor of Public Accounts to whom they were submitted
that the amount will be paid, upon evidence being exhibited of the muni
of war, for which the expenditure was incurred, having been applied t
the public service. I have directed the adjutant General to furnish this evi
and to deliver the articles in store to the United States; this I trust will be
sufficient to justify the payment of the money, without much further delay.

It appears from the books of the Treasury, that the cash on hand the first day
November last, with the receipts from that period to the 30th of September, am
to the sum of Forty five thousand eight hundred and thirty six dollars and fif
Six cents: of this sum there has been disbursed Thirty seven thousand five hun
and six dollars and seventy four cents; leaving at present in the Treasury
sum of eight thousand two hundred and sixty nine dollars and ninety two c

The amount of disbursements includes extraordinary expenditures to a large
amount; among those the pay and contingent expenses of the Convention is
most considerable, having amounted to upwards of nine thousand dollars. T
sums paid for printing and binding the digest of the statutes, and the money
paid to the Natchez Hospital, amount to near Eight thousand dollars.

In order to support the credit of the Government by being at all times prepar
to discharge the current demands, an increase of the present rate of taxatio
in consequence of the new state of things, is undoubtedly requisite; the

segmentation, however need not be considerable, provided a permanent Revenue
ystem shall be adopted.

On this first occasion of my addressing the Representatives of the State, were I,
refrain from acknowledging my gratitude to the people for the honor they have
onferred on me, by selecting me to fill the office of Chief Magistrate, it would
etray an indifference to popular favor, I have never felt, and evidence a want
f respect for the great principle of equal rights, which I trust I shall ever
egard as the foundation of our liberties, while I can with the utmost sincerity
eclare that I appreciate the esteem and regard of the community as a source of
ndividual happiness unconnected with their considerations; I own that the
onfidence which my fellow citizens, by their suffrages at the late election have
eposed in me is peculiarly gratifying, from the circumstance of my having
erved them several years in the capacity of a Territorial Governor. During
hat period it is known to you gentlemen, many incidents occurred that
nvolved the dearest interests of our country, and which rendered the management
f public affairs truly perplexing. That they terminated with honor and
dvantage to the community, I have ever ascribed to the patriotic support I
pecuniary uniformly received from the people, and their representatives
n the legislature. I shall ever entertain the most grateful recollection
f their liberal conduct towards me in those times of difficulty and
mbarrassment, and for this new instance of their indulgent regard, I
hall endeavour to make the best return in my power, by discharging
he duties of the office, to far as I am capable, in a manner calculated to
ecure the rights and privileges of the State, and to advance the interests
nd happiness of the people. With these objects in view, I offer to you
entlemen, my cooperation in the adoption of all measures that may
ave a tendency to promote the welfare and prosperity of our community.

Signed, David Holmes.

Town of Washington 7th Octo. 1817.

By David Holmes Governor of the State of Mississippi

A Proclamation

Know ye, that agreeably to the returns from the several counties and
election districts, it appears that George Poindexter Esqr. is elected a
member of the House of Representatives of the United States, from
this State, to serve until the fourth day of March in the year one
thousand eight hundred and nineteen. I do therefore in compliance
with the Laws of this State proclaim the same.

In testimony whereof I have hereunto set my hand and affixed
the Seal of the State the 10th day of October 1817.

(Signed) David Holmes

By David Holmes Governor of the State of Mississippi

To all who shall see these presents:

Be it known that Thomas Hill Williams was on the 9th day of the present Month duly Chosen by the Legislature of the aforesaid State of Mississippi a member of the Senate of the United States

Given under my hand and the seal of the State the Town of Washington the 10th of October 1817

(Signed) David Holmes

a like certificate of the Election of Walter Leake was issued at the same

Dear Sir, Town of Washington 20th Octob 1817.

I have ordered a suit to be commenced against Majr. Gerald for the money he improperly drew from you at Natchez. I expect the debt will ultimately recovered, I however thought it best to try other means to indues him to make payment before I resorted to a mode that will necessarily prove tedious. The business is placed in the hands of Mr. Rankin who will urge a decision as speedily as the forms of the Ca will permit. The Roll which you enclosed me of Capts Allens Company requires explanation, But I presume he can give a satisfactory reason for what appears inconsistent. The troops who are to have served a longer term than the captains may have been conti in service under some other Officer who did not think it sufficie to bear them upon his Roll. There is certainly an error somewhere it is of a nature to admit of elucidation. I therefore think the best course be to get Capt Bryan to make the necessary enquiries and to act in conformity to the Justice of the Case. I received by the last mail a let from Mr. Brent the Paymaster informing me that he had lately remitted you a sum of money to be applied to the payment of the arrears due our Militia. Will you have the goodness to inform me when you intend again to enter upon that business. I should have written to you some ago but I have had an inflamation in the Eyes for some months past.

I am your obedient Servant

David Holmes

Colo. Bartholw Shamburgh

Apt. Paymaster, New Orleans.

Sir, Town of Washington 19th Octob 1817

I had the honor to receive your letter of the 25th of August with the enclosures a few days ago. But believing from information that the G of the Alabama Territory had then arrived and being much engaged in consequence of the meeting of the Genl. Assembly of this State I omit an immediate reply. The course you have taken with respect to the complaints of the [illegible] settlements of murder creek meets my entire approbation, and in

circumstances you state no other could have been legally adopted.

The Indian who murdered Mr Glass in all probability is either within the limits of the Creek country or has taken refuge below the line. I would therefore suggest the propriety of his being demanded of the Chief men of the Nation by our agent. If they cannot apprehend him and there exists any evidence of his having gone into the adjacent province, the facts should be represented by the Govr of the Territory to the Spanish Authorities and their assistance to have him taken ought to be required. It is true that we have no arrangement with Spain for the reciprocal surrender of felons that may escape from one Country to the other - yet to protect an Indian who had committed an act of hostility within our limits, and taken refuge in theirs would endanger a disposition so unfriendly as to form in the first instance just ground of remonstrance and would inevitably lead to serious consequences.

I have the honor to be with great respect
Genl Edmd P Gaines
your Obedient Humble Servant
(Signed) David Holmes

Sir, Town of Washington Octob 23rd 1817

A committee appointed by a number of the Citizens of Adams County to take such measures as they may deem proper to alleviate the present distressed situation of the inhabitants of Natchez have informed me that they may possibly want the loan of some of the Public Tents in order to complete the arrangements they contemplate. I therefore request that you will furnish whatever number they may require of those now in your possession. you will take responsible receipts for your own security from the members of the Committe

your obedient servant
Colo. Andr. Marschalk , Signed, David Holmes

Sir Town of Washington Novmb 8th 1817

I enclose to you a commission for A Hammett as a constable of Wilkinson County. Having been informed that Mr. William Hammett is the Jailor of the County, I have declined appointing him a Justice of the Peace conformably to your recommendation as the two offices could not with propriety be united in one person

I am with great respect your
obedient servant
(Signed) David Holmes

The Commissrs of the
Town of Woodville
Wilkinson County

I do hereby certify that the annexed copy of the Constitution of the State of Mississippi, hath been compared with the Original Roll filed in my office of the Secretary of State and that the same is correct

Given under my hand and the seal of the State at the Town of Washington the 6th Novemb

(Signed) David Holmes

Governor of the State of Mississippi

Dear Sir

Town of Washington November 12th 18

Your letter of the 30th ult. was not received until this day, as Mr. John Taylor was appointed a Judge of the State and is of course authorized to hold the several courts. I expect that he will attend at Amite. some difficulty as to the Judiciary arrangements, arose in consequence of the General Assembly having met and adjourned without acting upon that part of the Constitution, which makes it their duty to appoint the Judges, I trust however that no material inconvenience will arise from this circumstance. The cause which produced the adjournment could not be prevented or foreseen by the Members of the Legislature.

I expected to have passed through your County on this or my way to Pearl River, but the long continuance of the sickness in Natchez prevented me from making some arrangements which prevented my leaving home.

With great respect I am

Your Obedient Servant

David Lea Esqr

(Signed) David Holmes

David Holmes Governor of the State of Mississippi

To the Sheriff of Jefferson County:

Whereas Benjamin A. Biellen late member of the House of Representatives in the General Assembly of this State, from the County of Jefferson, hath resigned his Seat, I Do therefore by this writ authorize and command you to hold an Election conformably to Law in your County on the fourth Monday of December next being the third day of that month, to fill the vacancy occasioned by the resignation of the said Benjamin A. Biellen.

Given under my hand and the seal of the State at the Town of Washington the 14th of November 1817

Signed

David Holmes

Town of Washington Nov. 15th 1817

Dear Sir I had the honor to receive your letter of the 27th Ultimo. offering your resignation of the appointment you hold in the Militia of this State. By Major Holliday, who is entitled to promotion, & at present absent, to accept your resignation at this time, would leave the Regiment without one Field Officer. It is therefore my wish that you should hold the command until the returns, or until it is ascertained that he will not return in a short time. Your resignation will then be accepted. The reasons you assign for relinquishing the command are certainly sufficient and your cannot with convenience hold it until Mjr. Holliday returns inform me and your resignation will be immediately accepted. You have been promoted to the rank of Colonel and your commission shall with transmitted

I am with respect your Obdt Servant
David Holmes

Col. Stockett

(Copied)

Town of Washington 15th Nov. 1817.

Sir you have been promoted to the rank of Lt. Colonel of the 2nd Regiment and your commission is herewith transmitted.

I am your Obdt Servant
David Holmes

Col. Holliday.

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Sir November 15th. 1817.

Mr. Isler's account for printing the Journals of the Convention and eight hundred copies of the Constitution has been exhibited to me and amounts to 632 dollars. I do not consider myself as authorized to liquidate the account agreably to what Mr. Isler thinks he aught in justice to receive. I however have concluded that you may with propriety advance him 300 dollars and hereafter the final settlement may be made conformably to such directions as the Legislature may think proper to give

Doubt. Samuel Brooks
State Treasurer

David Holmes

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Dear Sir, you have been appointed Col. of the 7th Regmt. which under the late arrangement made in pursuance of an act passed at the last Session of the Territorial Legislature is composed of the County of Marion and Hancock. Mr Griffin is appointed your Lt. Col. Elisha Carver is the Major in Hancock

I am with great Respect your
obedient Servant
David Holmes

Col. G. H. Nixon.

Dear Sir

Town of Washington 16th Nov. 18

I transmit to you a Commission as Colonel of the 6th R
of the Militia. Majr. M Rea will of course be continued as
Harmon M Runnels of Lawrence County is the Lieutenant Co
of the Regiment it being composed of the Counties of Wayne and Lawren

Colo. James Patton.

I am with respect &c.
Signd David Holmes

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David Holmes, Governor of the State of Mississip

To the Sheriff of Franklin County.

Whereas David Dickson late a Member of the Senate in the G
Assembly of this State, from the District composed of the Coun
of Pike and Franklin hath resigned his seat, I do there
Issue this writ, authorizing and directing you, to hold an El
in your county conformably to Law, on the second Monday
December next, being the eighth day of that Month, to fill the
vacancy occasioned by the Resignation of the said David Dick

Given under my hand and the Seal of th
State this 22nd day of November 1817.

(Signed) David Holmes

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Sir

Town of Washington 22nd Nov. 18

I received last evening a letter from David Dickson Esq
resigning his seat in the Senate of the State. Enclosed you
a writ of ~~Election~~ authorizing you to hold an Election on the
day of Decr. next. I will thank you to acknowledge the rec
of this communication.

I am with respect &c.
David Holmes

Sheriff of Pike County

---

Sir

Town of Washington 22nd Nov. 1817

I Enclose to you a writ of Election authorizing you to hold
Election on the 8th day of December next for a Senator to fi
vacancy occasioned by the Resignation of Dct. David Dickso

I am your obedient
Servant,
David Holmes

Sheriff of Franklin County.

Town of Washington 22nd Nov. 1817

Sir

I did not receive your letter of the 10th inst. until last evening I have forwarded a writ of Election to the Sheriff of Pike by mail and have appointed the 8th of Decmb. the day for holding the same shorter time could not have been named without hazarding failure of the Election and I am under apprehension that unless the writ gets to hand on much less time than your letter was reaching this place, that the notice will be insufficient to secure a general Assemblage of the People. I have taken the precaution to send a Duplicate of the writ by a Gentleman who is going to Amite and who has promised to forward it from there a private conveyance should an offer. I regret that we shall not have the pleasure of seeing you on the day you expected

With great respect &c.
David Holmes

Jack Dickson

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Town of Washington 22nd Nov. 1817.

Sir,

I enclose to you a writ of Election authorizing you to hold an election in your County to fill the vacancy occasioned by the resignation of David Dickson Esqr late a member of the Senate

I am with great respect &c.
David Holmes

Sheriff of Pike County

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David Holmes Governor of the State of Mississippi

To the Sheriff of Wilkinson County

Whereas Duncan Stewart late a member of the Senate in the General Assembly of this State from the County of Wilkinson, hath resigned his seat I do therefore by this writ authorizing and directing you to hold an Election conformably to Law in your County on the first Thursday in December next being the fourth day of that month to fill the vacancy occasioned by the resignation of the said Duncan Stewart.

Given under my hand and the seal of the State this 22nd Nov. 1817.

(Signed) David Holmes

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Town of Washington Nov. 1817

Sir,

Last Evening I received a letter from Duncan Stewart Esq resigning his seat in the Senate. You will hold an Election in pursuance of the enclosed writ to fill the vacancy

Yours with respect
David Holmes

To Connell Esqr Sheff. W. C.

Town of Washington Nov. 26th 1817

Dr. Sir,

I would thank you to obtain and forward to me the date of the commissions of the Field Officers of your Regiment

Yours with respect

Paris Cleveland Esqr. (Signed) David Holmes

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By David Holmes Governor of the State of Mississippi

To all who shall see these presents:

Whereas Freman Smith at a Superior court holden in Liberty in and for the County of Amite in the month of November in the present year, hath been found guilty of stealing two Slaves the property of a certain John Brown. And Whereas the Judge before whom he was tried, and the Jury by whom he was convicted have recommended him to the mercy of the Executive. Therefore know ye that I David Holmes having duly considered the recommendation aforesaid, Do pardon and remit the punishment, which the said Freman Smith is now liable to receive by reason of being found guilty of the crime aforesaid

Given under my hand and the Seal of the State this 6th day of December in the year 1817.

Seal

(Signed) David Holmes

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Gentlemen of the Senate, and

Gentlemen of the House of Representatives

In the recess of your session I appointed John Taylor Esqr. a Judge of the State, to supply the vacancy occasioned by the resignation of Walter Leake Esqr. Lyman Harding was appointed Attorney General to supply the vacancy occasioned by the resignation of Christopher Rankin Esqr.; and Powhatan Ellis was appointed a Judge to hold the Superior Court in the Counties of Jackson, Green, Wayne, and Hancock, under a provision of the Constitution. The following members of the General Assembly resigned their seats in the recess, to wit: Duncan Stewart, a Senator from the County of Wilkinson; David Dickson a Senator from the district composed of the Counties of Pike and Franklin; and Wm. H. Bullen, a member of the House of Representatives from the County of Jefferson; writs of Election were issued to fill those several vacancies.

Permit me Gentlemen, to congratulate you, upon the opportunity that presents itself, of progressing with the Legislative business of the State

December 9th 1817. (Signed) David Holmes

Sir, Natchez 9th December 1817.

I have the honor to inform you, that I have appreciated Daniel Williams Esqr. the bearer hereof to deliver you in the office of Secretary of the State, and to request that you will deliver him the Books and papers of the Office

with great respect

Nathan A Pare Esqr. (Signed) your Obedient Servant David Holmes

Sir, Natchez 10th December 1817

I had the honor to receive your letter of the 7th ult.o, last evening. It was accompanied with but one packet, the other I presume has been delayed at some post Office on the route. Your favor of the 25th August and the Books and Pamphlets which accompanied it were Received. I shall endeavor to impress upon the Legislature our infant State the utility of adopting such of the Laws and Systems of Mr. Bentham and Mr. Owen as are applicable to our present situation and I feel confident that we shall ultimately derive much benefit from their laudable Exertions

John Q. Adams Esqr. I have the honor to be &c.
Secy of State (Signed) David Holmes

Gentlemen of the Senate, and
Gentlemen of the House of Representatives

At the request of the Governor of New Jersey, I transmit to the General Assembly, certain Resolutions adopted by the Legislature of that State, recommending and amendment to the Constitution of the United States.

January 2nd 1818 (Signed) David Holmes

Sir, Natchez January 2nd 1818

I have had the honor to receive your letter of the 20th ult.o with the extract accompanying it. The great body of the Inhabitants of this State reside on the western side of Pearl River and near to the Mississippi, a very considerable distance from the Seaboard. I presume that you have not adverted to the circumstance that a part of the Mississippi Territory by Congress at the time that the people of the western part were authorized to form a State Government. The Alabama and Tombigby Country now compose the Alabama District over which Territory Mr Bibb, formerly of Georgia has been appointed to preside, my authority in that quarter, of course is at an end should it become necessary in your opinion to furnish Troops from

made. I would however suggest that a force could be drawn from Ge
and the Alabama Territory in less time and with less expence to th
Government than from any part of this State.

I am with respect &c.

Lt Col Inmith (Signed) David Holmes

Sir, Natchez 20th January 1818

Your letter of the 15th ult. was not received until the 17th
Mr Mare the Last Secretary of the Mississippi Territory was engag
more than three months ago in preparing for you a list of the
appointments and in arranging the Public papers for your
Government, which he informed me he intended to forward
St. Stephens before your arrival, I have directed the present Secre
of State to make out Copies of all the forms that I have been in
habit of using for Commissions Civil and Military, Certificat
If Mr Mare's communication has miscarried I will direct the Sec
to make out another list of Appointments. In Consequence o
blank Commissions having been occasionally sent to the Alaban
and Tombigbee Counties, which in some instances was the mode
adopted in order to keep the Offices filled, and from the Circum
of Officers frequently removing out of their Counties without giv
notice to the executive, or resigning their Commissions, the Register
Appointments does not furnish a correct list of those in Office
I would therefore advise you to direct the Sheriffs and Clerks
procure a list of the Officers in their respective Counties, which
would serve to correct any omission or errors that may have hap
from these causes. With respect to the Funds which
remain not on the Treasury, after paying the expences of the
Convention, I presume there will be no difficulty, as the
amount was very inconsiderable. I shall submit the duty
to the Legislature and entertain no doubt, but that they will
act with Justice and liberality towards the Territory. There
due from the United States four* thousand dollars of this sum
when received you will be entitled to your proportion.
The forms mentioned above are herewith transmitted. Believe
me Sir it will give me great pleasure to furnish you with an
information I possess respecting the administration of your Governme
I am with sentiments of respe
Your Obt. (Signed) your obedient Servant
David Holmes

* Four thousand five hundred and
Eighty five dollars sixty four cents

To the Senate and House of Representatives
of the State of Mississippi

I transmit to the Legislature, an extract of a letter received from the Governor of the Alabama Territory, making an enquiry respecting the funds, which remained in the Treasury of the State after the Constitution was formed. The 9th Section of the Act of Congress, entitled "An act to establish a separate Territorial Government, in the eastern part of the Mississippi Territory" contains the provision to which this enquiry alludes. I suggest to the Legislature, the propriety of authorizing an adjustment of the amount with the Alabama Territory conformably to the provision.

January 26th 1818 (Signed) David Holmes

To the House of Representatives of the State of Mississippi

I return to the House of Representatives for their reconsideration an act entitled, "an act to lease the Lands reserved by the United States to this State for the use of Schools". I am of opinion that this act contains provisions in contravention to the 28th section under the head of General provisions of the Constitution of the State; which section declares that the Funds arising from such Lands as are or may hereafter be granted by the United States for the use of Schools within each Township, shall be applied in strict conformity to such grant. The act of Congress making the grant or reservation of the 16th section for the use of Schools, declare that it shall be reserved in each Township for the support of Schools within the same. The act which I now return for your reconsideration, directs that the Funds that may be produced from these Lands, to be applied to the support of County Schools and certain incorporated Academies. This provision I consider unauthorized by the Act of Congress and therefore against the section of the Constitution above mentioned.

January 29th 1818. (Signed) David Holmes

February 2nd 1818.

Transmit to the General Assembly, a report of the President of the Board of Trustees of Jefferson College

(Signed) David Holmes

I return to the House of Representatives for their reconsideration, the Act entitled "An Act to provide for the inspection of Flour and other provisions, and for other purposes". The second section of this Act provides that "if any inspector shall commit any extortion or extortion, or shall be guilty of any wilful fraud, oppression or neglect of duty, or any other malfeasance, as inspector, not particularly defined by the Act, and be convicted thereof, before any three Justices of the Peace, on the evidence of any two creditable witnesses, he shall forfeit & pay two hundred dollars, with cost, and be afterwards forever disqualified from holding any office of honor or profit within this State." In my opinion this mode of convicting a Citizen, for any offence made so highly penal, without the intervention of a Jury, is opposed to the true spirit of our Constitution, and especially to that section which declares that the trial by Jury shall remain inviolate.

February 3rd 1818 (Signed) David Holmes

Sir, Natchez Feby 4th 1818.

A number of accounts for forage and provisions furnished to detachments, during the late war, by Citizens of this State remain unsettled. I wrote to Cols. Gibson at New Orleans several months ago upon this subject. He informed me that he expected to receive instructions, that would enable him to do Justice to these cases. The claims however that remain unsatisfied, in some instances the provision and forage were taken as I am informed by force. The whole amount due from what information I have received cannot exceed three thousand dollars. If it is not inconsistent with the rules of the war department, I request that some provision may be authorized to settle and pay these accounts at this place.

Cols. Gibson might be directed to send a deputy here for that purpose and the regulation that was adopted respecting the pay Rolls of the Militia, might be applied in this instance, to wit, that the Governor should certify the correctness of the claims, so far as he possessed any information respecting them

I have the honor to be with great Consideration your obedient servant

(Signd) David Holmes

The Hon'ble Secy at War.

Natchez 4th Feby. 1818

Sir,

The Auditor of the war Department, having refused to settle the accounty of this State for money expended during the late war for Forty Camp equipage & until the property shall be delivered to some United States Officer. I have to request that you will cause to be delivered all the Public Property on Pearl River whether designated, as State or United States property to any officer at the Bay of St Louis who may be authorized to receive the same. You will take duplicate Receipts from the Officer, and in which you will distinguish the State property from that of the United States.

I am your obedient Servant
David Holmes

Col. G. H. Nixon

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To the Senate and House of Representatives
of the State of Mississippi

I inform the General Assembly that the President and Directors of the Bank of Mississippi, have in due form given their full and entire assent to the act entitled "An act supplemental to an act entitled an act to establish a Bank in the Mississippi Territory" approved the 4th instant; they having been previously authorized so to do by the Stockholders of said Bank; which form of assent, with the proceedings thereon are filed in the office of Secretary of State

February 5th 1818 (Signed) David Holmes

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Natchez 6th February 1818

Gentlemen, I enclose to you an extract from the act concerning the Revenue by which I am authorized to borrow twenty thousand Dollars on account of the State from the most accurate estimate that the Treasurer can at this moment make it appears that the present exegencies of the government require the sum of twelve thousand dollars. If the Bank are disposed to accomodate the Government conformably to the provisions specified in the Act I am prepared on the part of the State to enter into such obligations as may be deemed requisite to ensure a punctual reimbursement of the Loan. I have the honor to be &c.

President & Directors of the Bank of the State of Mississippi

(Signed) David Holmes

Natchez 19th Feby. 1818

Sir

The Secretary of State agreeably to a Resolution of the Legislature this day forwarded to the Clerk of the Superior Courts in the respective Counties in this State, a number of Copies of the Militia Law passed at the last Session. You will of course be furnished with a Copy, and I have to request that you will call the attention of the Field and Company Officers of your Regiment to the mode of Election pointed out by the Act. The commander of each company will request a Justice of the Peace to attend as the Law prescribes. If the Secretary's communication should not get to hand until after the day designated for the election of the Company Officers, and no election shall have been holden pursuant thereto, you will direct the companies to proceed forthwith to comply with the requisitions of the Law

I am with respect &c.
(Signed) David Holmes

Commanding Officers of the several Regiments

Natchez March 4th 1818

Sir,

I received your letter of the 9th ult. last evening by Mr Colt. I regret very much that the papers belonging to the Alabama Territory which were taken out of the office by Genl. Wade the late Secretary, had not reached you previous to date of your letter, I presume or they must have got to hand. I enclose to you a copy of my letter of the 20th Jan. in reply to yours of the 15th Decr. The Secretary of State sent out several forms, which you requested, with your letter, any others that you may want will be forwarded. I regret that Mr Colt cannot remain here until another list of appointments could be made out. He has however promised to call on the Governor who will be able to inform by whom the papers are forwarded.

I enclose to you a copy of a Resolution passed by the Legislature authorizing an adjustment of the accounts of the State with the Alabama Territory, whenever the necessary data can be made out by the accounting officers. I will address you on this subject

With great respect &c.
Governor Pitkin (Signed) David Holmes.

P.S. I have made out a list of appointments in the new Counties which is herewith transmitted

D. H.

Natchez 5th March 1818

Sir/

Your letter of the 25th Ult. with the Letters and papers dated as accompanying it came to hand last evening. I now enclose to you a Commission as Chief Justice of the Orphans Court for Hancock County. The Commission for Coroner cannot issue until there is an election held by the voters of the County to supply the vacancy. A writ for that purpose is herewith transmitted. Mr. Secretary Williams will attend to your request respecting the Laws. I regret that the whole of the Acts passed at the last Session are not yet printed.

With great respect I
Have the honor to be
Sir
Your Mo. Ob. Servt.
David Holmes

Noel Lourdon Esqr.

David Holmes Governor of the State of Mississippi

To the Sheriff of Hancock County

Whereas, Victor Chevronnier late a Coroner of the County of Hancock hath resigned his office. I do therefore issue this writ, authorizing and directing you to hold an election conformably to Law, in your County on the first Monday in May next, to fill the vacancy occasioned by such resignation.

Given under my hand and the Seal of the State at the City of Natchez the 6th day of March 1818. and in the 42nd Year of the Independence of U.S. A.

By the Governor
Daniel Williams
Secretary of State

David Holmes

Sir/ Natchez 12th March 1818

Agreeably to the classification made by the Senate of this State, the term of service of the Senator from the District composed of the County of Jefferson, expires the first year you will therefore be called on to hold an election for a Senator to Represent the District at the next General Election for Representatives.

I have the honor to be &c.
David Holmes

To the Sheriff of Jefferson County —

A copy of the above sent to the Sheriffs of the several Counties Composing the Senatorial District Mr Stovall and Mr Wells. —

Sir,

Natchez. 15th March 1818.

I enclose to you a list of the Justices of the Peace for Jeffer County taken from the Register. It cannot be considered correct owing to the circumstances of Officers frequently removing from t County without sending in their resignations, and in some instances I apprehend that resignations have not been noted where they have been actually forwarded. You will be able probably to correct the list by meeting enquiries of the Judg and Clerk. I intended to have been at your court but indisposition will prevent me from leaving home for two three days.

Yours with respect &c.

David Holmes

Cols I Wood

3

Natchez 19th March 1818.

Sir,

I have received both your letters of the 14th inst. I have not seen Col. Kemper within a day or two, but have been informed that he will not be a candidate for the command of the Cavalry The Col I understand has received your letter which he will of course answer. The Troop in this County lately commanded by Capt. McCowan, have elected officers they are dispersed enter into the Ranks of the Infantry, another Troop here will be shortly organized. your name agreeably to request will be mentioned as a candidate for the appointment of Lt.

I am with great respect &c.

Lt Col. Richardson.

3

David Holmes

David Holmes Governor of the State of Mississippi

To all to whom these presents shall come Greeting:

Whereas Nathaniel Evans Esqr. a Citizen of the United States at present residing in the State of Louisiana, but who for several years resided in the Mississippi Territory now State of Mississippi, has informed me that he is about to travel into foreign Countries for the transaction of business of his individual Concernment, I do therefore Certify from my own knowledge as well as from the information of others that the said Nathaniel Evans Esqr is a respectable Citizen of the United States and I do hereby recommend him to the friendly attention of all officers civil and Military and of all the Citizens of the Countries through which he may pass or otherwise may make a journey and sojourn.

Given under my hand & the seal of the State at the City of Natchez the 21st day of March 1818.

David Holmes

Natchez 24th March 1878.

Dear,

I have the honor to enclose to you a Copy of an act passed by the Legislature at their last session, making appropriations for the use of the Natchez Hospital, and request that you will endeavor to procure the donation of Congress to the purposes it contains.

I am with great respect &c.

Hon. [illegible] Lynch Esq (Signed) David Holmes

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Head Quarters City of Natchez

General Orders, 25th March 1878.

By an act passed at the last session of the General Assembly entitled "an act Regulating the mode of appointing Militia Officers & organizing the Militia of the State of Mississippi; enrolled Militia of each company were directed to meet on the second Saturday of the present month for the purpose of electing company officers. The Commander in Chief has ascertained from information that many of the Companies have neglected to comply with the provisions of the Act, In some instances it is probable that the Laws [illegible] forwarded as soon as they were printed accompanied with instructions to the several Commandants of Regiments did not reach the Country until the time for holding the elections had passed. From whatever cause the omission may have happened the Commander in Chief deems it his duty to order the enrolled Militia of such Companies as have not elected Company Officers to proceed forthwith to comply with the requisitions of the Law. The Field and Company Officers of the several Regiments are ordered to use their best exertions to have the Laws carried into effect with as little delay as possible, in order that the officers may be commissioned previous to the day appointed for the election of Brigadier General. The Commanders of each Regiment will appoint a day for the purpose of holding elections for Field and Company Officers, where that duty has been neglected, and will cause the requisite notice to be given. In all respects the elections must be conducted according to the mode provided by the Act, If any Company shall intentionally neglect to elect officers, such Company will be attached to the adjoining district where officers have been elected. All Militia officers who have not been appointed by new appointments under the Law passed at the last session are continued in their respective commands by a provision of the Constitution of the State.

By order of the Commander in Chief

J. H. McCowan Lieut. & Adjt. Gen. of the State Militia of Miss.

Sir

Natchez 27th March 18[illegible]

I enclose to you an extract of act passed at the last Session of the General Assembly respecting the exportation of Slaves, Mr. Harding the attorney General seems to be of opinion that the Tax cannot be imposed without the consent of Congress, and to settle all doubt on the subject he thinks it better that such consent should be obtained before the Trustees of the Natchez Hospital, proceed to the appraisment of a collector. I fear that it will not be in your power to have any thing done respecting it during the present Session

I am with great respect &c.

Hond. Thomas H. Williams &c. David Holmes

Sir,

Natchez 30th March 1818.

I embrace the first opportunity to transmit to you the Notes of Madison County, which you lodged in the Secretary's office for safe keeping. Mr. Foley will do me the favor to hand it to you. I did not receive the note which you mention in your letter of the 21st instant. I expect it will be in my power to forward in the course of three or four days the Power of Attorney from Capt. Rafalgue, Company. Wishing you many happy years I am with great respect &c.

Colonel Shamburg &c. David Holmes

David Holmes Governor of the State of Mississippi

To the Sheriff of Green County, Greeting

Whereas, James Roane and Coleman Strange were at the last Superior Court holden for the County of Green sentenced by the said Court to suffer death on the fourteenth day of May next, the said James Roane being there and there convicted of the crime of Forgery and the said Coleman Strange, being there and there convicted of aiding and abetting the said Roane in committing the said crime of Forgery. Now Know ye that for divers good causes and considerations me hereunto moving, I do by virtue of the powers in me vested as Governor of the State aforesaid Respite and suspend the Execution of the said sentence the first Saturday in September next ensuing

Given under my hand & the great Seal of the State at the City of Natchez the 31st day of March 18[illegible] and in the 42nd year of Independence &c.

By the Governor

Daniel Williams. Secy of State &c. David Holmes

Natchez 2nd Apl. 1818

Dr Sir, I transmit to you Several Military Commissions for Marion County as Hancock County forms a part of the 10th Regiment, and as we have not received any returns from that County, we cannot as yet make out the Commissions for the Field Officers of the Regiment, altho the returns from your County have been received

With great Respect &c.
Comm'd Officer of Militia
in Marion County
David Holmes

Natchez 2nd April 1818

Sir, I transmit to you by Mr Preston Several Military Commissions for the 9th Regiment, we have not received the return of the Election for Field Officers

with respect &c.
Comdg Officer
9th Regt. M. M.
David Holmes

Natchez 6th April 1818

Sir, I transmit to you Several Military Commissions for the County of Amite 6th Regmt which I must request you to have delivered conformably to their direction, I have not received as yet a return for the Field Officers

I am respectfully &c.
Colonel McGahey
David Holmes

Natchez April 14th 1818

Sir, I will thank you to forward the enclosed Military Commissions the postage will be paid as soon as the amount is ascertained at this office

Post Master
Green Court House

with great regard &c.
David Holmes

Natchez 19th April 1818

Sir, I received your letter of the 9th inst. The Rolls of Madison County were forwarded by the first opportunity that offered after I received your instructions to that effect. A Mr Forbes who was a passenger on board the Buffalo took charge of them, and promised to deliver them. I have not as yet received the power of Attorney from Captain Rapalye tho I expect it daily. As soon as it comes to hand I will transmit it to you

I have the honor to be with
great respect &c.
Colonel Chambers
David Holmes

Sir,

Natchez 20th April 1818.

I request that you will forward the enclose commissions your account will be paid upon its being presented at this office.

Respectfully yours &c.

Post Master at Green Court House

David Holmes

Sir,

Natchez 1st May 1818.

I enclose to you a commission as a Justice & Collector in and for the County of Amite, which you are requested to accept. It is my wish that you should enter upon the duties of the with as little delay as possible

Respectfully yours &c.

Ellis E Spellman Esqr

David Holmes

Sir,

Natchez 5th May 1818.

I transmit to you by mail Ten Muster Rolls of Militia who were in service from Madison County, Alabama Territory. They are all regularly certified but two, one of Capt Crawford's Roll is not certified by a Field Officer, as the regulation requires presuming that this can be done at Huntsville, and wishing to do every thing in my power to facilitate the payment of the troops, which has been so long delayed, I have affixed my certificate to the Roll. An error appears on the face of the Roll signed by Capt. Allen, by examining it you will see that the Captains term of service expired on the 30th Sept. 1814, several privates are stated to have served in service long after that period. This Roll is certified by Robert Hays Asst. Adjutant Genl. which induced me to certify it, when it was first presented I afterwards made another endorsement upon it, in consequence of my being satisfied that an explanation of the apparent inconsistency should be required before payment was made.

I am with great respect &c.

Nicholas

David Holmes

I do hereby certify that the Muster Rolls mentioned above were forwarded by mail to Huntsville Alab Terr

May 5th 1818

Signed Daniel Williams

Secy of State

State Mississippi

Dear Sir,

Natchez 6th May 1818

I forwarded agreeably to your request the Muster Rolls to Cary Nicholas Esqr and directed them to the particular care of Capt Graham of Huntsville. I now transmit to you a number of Powers of Attorney delivered to me by Capt Rapalye several of them are from persons who served in other corps than those of Warren County. They removed thither after the war and have adopted this mode of obtaining their pay - Of his own Company you will perceive that but few have signed the power of Attorney, owing I presume to Deaths and removals which have happened since the termination of their service. Where certificates are not enclosed with the power, it is an evidence part of the pay has been received and the certificate having been detained by the Pay Master. When you remit the money state the precise sum due to each individual

I am with Great respect &c.

Colo. Thornburg

David Holmes

Sir,

State Mississippi, Natchez, May 20th 1818

I have the honor to transmit to you a Resolution of the General Assembly of this State, on the subject of the Hospital erected in this city for the benefit of Strangers who may require benevolent aid — Among the number of Boatmen and other persons who descend and ascend the Mississippi, many from imprudence and others from exposure, incident to their occations fall sick at this place, and are often without the means of procuring such comforts as their helpless situation requires. Hitherto the Natchez Hospital has received its principal support from the Legislature of the State, and from Charitable persons residing within this City and its vicinity. But it cannot be expected that from these sources a sum can be drawn sufficient to accomplish the humane and Charitable objects of the establishment. As the institution is intended chiefly for the benefit of strangers, the Legislature have thought that those states which are interested in the Commercial Navigation of the Mississippi, would (from the interest they of course take in the preservation of their own citizens) willingly contribute to its support. The aid of the State over which, you preside is therefore solicited, to enable the Trustees to carry into effect their benevolent intentions. For the present state of the institution I refer you to the Resolution. It may however be proper to add that the best Medical assistance is rendered gratuitously and that the building which is situated on an healthy eminence is well

calculated to answer the purpose for which it was enclosed.

I have the honor to be with
great respect your obedient Servt
David Holmes

Addressed to the Govrs
of Louisiana, Kentucky Tennessee
Virginia, Ohio, Pennsylvania & Indiana

By David Holmes Governor of the State of Mississippi

Whereas Daniel a Negro Slave the property of William Brooks was sentenced to suffer death on this day between the hours of ten and on the forenoon and four in the afternoon by the County Court of Adams County upon a charge and conviction of Robbery and Murder, and whereas a Habeas Corpus hath been issued by the Superior Court of said County to bring the body of the said Daniel before the said Court, and whereas one of the Judges of said Court, has requested that in order time may be given to enquire into the cause of the Confinement of the said Daniel, that the execution of the sentence may be delayed; Therefore Be it known, that I do hereby suspend the execution of the said sentence, until between the hours of three and Seven oclock in the afternoon of this day

Given under my hand & the Great Seal of this State at the City of Jackson this 5th day of June 1818.

David Holmes

Gen. Orders

Head Quarters 5th June 1818

The Sheriff of the County of Adams having applied to me for a guard to attend the Execution of Negro Daniel which is to take place this day, and to assist in conducting the said Daniel from the Town of Washington to the place of Execution, It is hereby ordered that Capt. Burton Fuller detail without delay from his Company a Lieutenant and thirty privates to perform this service the Capt. will take command of the detachment and will conduct himself in all respects conformably to such directions as he may receive from the Sheriff.

David Holmes
Comm'r. in Chief Militia
of State Mississippi

Copy mutatis mutandis, issued on the Executions of George H. Harman on the 15th July 1818

Natchez June 7th 1818

Sir I received your letter of the 1st instant by Mr Pathorn. I regret that it is not in my power to remedy the inconvenience which will result from Mr Hall's having refused to accept the office of Justice of the Peace. No other mode can be adopted of appointing a Justice of the Peace than the one pointed out by the Law of the last Session of the Legislature, which requires the County Court to recommend to the Governor. It is questionable whether the acts of a Justice of the Peace appointed in any other manner would be considered valid in Law.

With great respect &c.

George Ld King Esqr &c. David Holmes

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Natchez 13th June 1818.

Sir, Your letter of the 8th instant has been received and commissions have been forwarded to the Gentlemen recommended as proper persons to fill the Staff appointments of your Brigade

With respect &c.

Brig. Genl. Bruce — David Holmes

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Natchez 21st June 1818.

Sir, I forwarded to you by Mr Hall some powers lodged with me by Capt. Chapalye. I now transmit to you a power of attorny in favor of Mr Turnbull which you may include with them. Be pleased to remit the amount that may be due upon these accounts by the first safe opportunity

I am with respect &c.

Col. Shaumburg David Holmes

The certificate and discharge is enclosed Wm M Fontain who made the power to Turnbull is also enclosed — D. H.

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Natchez 25th June 1818

Sir, By an act of the last session of the General Assembly the Governor was authorized Twenty Thousand dollars for the use of the State; of this sum Twelve thousand, has already been borrowed from the Bank of the State. as the exigencies of the Government at present require the further sum of Eight thousand dollars. I have to request that the Bank will accomodate the State with a loan to that amount. Five thousand dollars of this sum will be subscribed to the Bank immediately the remaining three thousand will be applied to the current demands upon the Treasury.

I am Sir with the highest respect &c.

Saml. Postlethwaite Esqr. President of the Bank of the State of Mississippi — David Holmes

Natchez 27th June 1818

Sir,

Your letter of the 5th instant was received yesterday. There are public Arms of any discription subject to my order. It is therefore of my power to furnish the Troop of Cavalry in your Regiment. I have forwarded Commissions to Wm D Hathorn and to Doct. Field conformable to your recommendation.

I am with respect &c.

Col. Eli Garner. 8th Regmt. David Holmes

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David Holmes Governor of the State of Mississippi.

To the Sheriff of Claiborne County greeting:

Whereas Daniel Burnet late a member of the Senate in the General Assembly of this State from the District composed of the Counties Claiborne and Warren, hath resigned his seat. I do therefore Issue this writ authorizing and directing you to hold an Election Conformably to Law in your County, on the First Monday in August next and the day following to fill the vacancy occasioned by the resignation of the said Daniel Burnet.

Given under my hand and the Seal of the State at the City of Natchez this 27th day of June 1818.

David Holmes

A writ of Election Mutatis mutandis, was directed to the Sheriff of Warren County.

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Executive office, State of Mississippi

Natchez 9th July 1818.

Sir,

In conformity to a request of the General Assembly of this State I have the honor to transmit to you the Enclosed Resolutions

with great respect. &c.

David Holmes

a copy of the above was forwarded to the Governors of the several States,

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## A Proclamation

By David Holmes Governor of the State of Mississippi

Whereas it has been represented to the Executive of this State, by Labon Baccot Sheriff of the County of Pike, that a certain Lamy Roane who was convicted of the crime of Forgery, at the last Spring Term of the superior Court holden for the County of Green; and sentenced to suffer death hath made his escape from the Jail of the County of Pike, where he had been imprisoned in consequence of his having feloniously made his escape from the Jail of Green County. I have therefore

thought Proper to issue this proclamation, hereby offering a reward of one hundred Dollars, to any person who shall apprehend and convey to the aforesaid Jail of Pike County the said James Roane.
And I do moreover require all officers Civil and Military to use their best endeavors to apprehend the said Convict that he may be dealt with according to Law.

Given under my hand and the Seal of the State at the City of Natchez this 16th day of July 1818 and of the Independence of the United States the 43rd.

(Signed) David Holmes

James Roane is about twenty three years of age tolerably tall rather spare in his person has dark brown hair and blue eyes.

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David Holmes Governor of the State of Mississippi
To the Sheriff of Green County and to all others whom it may concern

Whereas a certain Coleman Strange was convicted and sentenced to death at the last Term of the Superior Court of Law holden for the County of Green, for the crime of Feloniously aiding and assisting James Roane to commit the crime of Forgery. And whereas the Jury before whom the said Coleman Strange was tried with other respectable Citizens did recommend the said Convict to the Clemency of the Executive, which said recommendation induced me to suspend the Execution of the sentence, until the September next in order that the Executive might have time to examine into the merits of the application for a pardon Now Know Ye, that I having duly considered the circumstances of the case and having conferred with the Judge presided at the trial of the said Coleman Strange, and further having taken into consideration the conduct of the said Convict since he has been imprisoned in the Jail of Pike County. I do by virtue of the Power in me vested as Governor of the State aforesaid pardon the said Coleman Strange and do remit the punishment of death which by the sentence of the Court he was adjudged to suffer, upon this Conditions, that is to say, that the said Coleman Strange, shall within Forty days after he receives notice of this act of Clemency, depart from this State, and that he do not return to the same during his natural life unless permitted by Law, and that he shall give security to pay within six months from the date hereof the Costs incurred by the State in prosecuting him to Conviction.

Given under my hand and the Seal of the State this 20th day of July 1818. and of the Independence of the United States the 43rd

(Signed) David Holmes

Dear,

Natchez 24th July 1818.

Upon conferring with Judge Ellis who presided at the Trial of Roan and Strange in Green County, I concluded to pardon Strange upon certain conditions. I now enclose to you a duplicate of the pardon which has been forwarded to the Sheriff of Green another copy will be sent Judge Ellis another copy by the next mail. these precautions taken to guard against the probability of any communication not being received. I have offered a proclamation for Roan offering one hundred dollars reward

I am with respect &c.

Sheriff Pike County

David Holmes

Dear Sir

Natchez 24th July 1818.

Upon conferring with Judge Ellis I concluded to pardon Strange the Pardon is herewith transmitted you will observe the conditions upon which it is granted.

Your obedient Servant

Sheriff of Green County

David Holmes

I have offered a reward of of one hundred Dollars for Roan who has escaped from Pike County.

ut supra.

David Holmes

Dear Sir

Natchez 25th July 1818.

The commissions for your county have been made out on the 25th of last month and have been retained in the Office waiting for the departure of Judge Ellis, which I expected would have happened ere this. He left Natchez on tomorrow and will take charge of this communication with the commissions. I have received the return from your county of the Election of a Brig. &

I am with respect &c.

Noel Lowndes Esqr.

David Holmes

Dear Sir,

Natchez 26th July 1818.

I have been requested to forward to you the enclosed power of Attorney, which was transmitted to me some time ago, I did not think proper to forward it by mail lest the communication might miscarry, and the paper which is of some importance, be lost. You must apply to Col. Shaumburg at New Orleans for payment.

Respectfully &c

David Holmes

Wm Lowndes County

Power forwarded to me by Benjn Newman, It was drawn by George Hays, Inspector of the Hinds' Corps, in favor of Lowndes County

David Holmes

General Orders, Head Quarters 26th July 1813.

The sheriff of Adams having represented to me that a strong Guard would be requisite to attend at the execution of the Negroes Daniel and Norah which is to take place on tommorrow, and to assist in conducting the said Convicts from the Town of Washington to the place of Execution it is therefore ordered that there be detached, for this purpose, from Capt. Girault's Company one Sergeant one Corporal, and twenty privates, from Captain Fullers Company 1 Lieutenant one corporal and ten privates, from Capt. Parkers Company one Ensign or Second Lieutenant one Sergeant and ten privates. Capt Girault will take the command of the detachment and will conduct himself in all respects conformably to such directions and instructions as he may receive from the Sheriff.

David Holmes
Comdr in Chief

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Natchez 9th August 1813—

Dear Sir

I have had the honor to receive your letter dated the 24th ult. I will not hesitate to commission the Officers for a company of Mounted Rifle men in the 2nd Regmt. when regularly elected, they may make choice of their own uniform and will be subject to the Rules that have been heretofore established respecting volunteer Corps, one of which is, that the whole company is to go into actual service when required without the form of a draft.

Respectfully yours &c.
David Holmes

Brig. Genl. Briscoe—

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Natchez 25th augt 1813

Dear Sir

I received your letter of the first inst a few days ago. we have received returns from ten Counties in your Brigade viz, Wayne and Marion these Returns give you a majority of seven only. I have concluded to wait no longer for returns from the other Counties believing from your letter that the officers have neglected to comply with the requisitions of the Law in the ground probably that there would be no opposition to your Election. your commission is herewith enclosed.

I am with great respect &c.
David Holmes

Genl. Nixon

Sir

Natchez 21st Augt 1818

I have this day forwarded four commissions for a compan
the 3rd Regiment which were made out and directed to Fra
County immediately after the recommendations were received. O
ever way owing to the returning Officer not mentio
the County or Regiment in his return. I was surprised at th
office that the persons recommended resided in Franklin
names of the officers commissioned. 2nd Lieut Buie Capt. Mc Patterson
1st Lieut. Dugald Mc Eachern 2nd Lieut. Wm Prichard Engagn
with great respect &c.
Comd'g. Officer 3rd Regiment } David Holmes

Sir, Natchez 15th September 1818

I received your letter of the 18th ultimo, with the two
Muster Rolls stated to be enclosed. I never return them Corp
Conformably to your request, I should have preferred a
private conveyance for the papers, but none has offered s
they came to hand. The Muster Rolls that were forwarded
to the Secretary's office, during the late war, were eith
transmitted to the war office or delivered to the paym
to enable him to make out his pay Rolls. I do not recol
of any Rolls being lodged in the office by Col. Carson,
well as I recollect one or two were certified by me at h
request and returned to him. Annual Rolls were certi
at the instance of Colonel Minor and returned by the
person who brought them to the Office. I will the
you to make any respects to Governor Bibb and
inform him that I have concluded to let him have
one hundred Copies of the Digest at the price they
the Territory. The amount can be deducted out of the
Balance that may be due the Alabama Territory.
I can have the Books forwarded to any person in
Orleans that he may name.
H. Hitchcock Esqr } I am with great respect &c
Secy Alabama Territory } David Holmes

Sir, Natchez 17th September 181
I have had the honor to receive your letter of the 8th instan
Byan Act of the Legislature of the Mississippi Territory
passed the 4th February 1807. The Measures thereof was dir
to procure one Set of weights and measures according to the
Standard of Scotland which were to serve as a general Sta
dard for the Territory. He was also directed to procure

for each County the latter provision was never carried into effect
The Legislature therefore by an act of the 23rd of December 18
authorized the Treasurer to procure six sets of the same Standard
and directed them to be deposited at certain public places
within the Territory, under the care of an officer whose duties
are prescribed by the Act, this Law was duly executed and the
weights and measures which were procured are now the
Standard, by which weights and measures are regulated
throughout the state. I enclose to you copies of the acts
herein alluded to.

Hon'bl John Q Adams
Sec'y of State

I have the honor to be &c.
David Holmes

David Holmes Governor of the State of Mississippi
To the Sheriff of Warren County and all others whom it may concern
Whereas Terry Trapp was convicted of Murder at the last Term
of the Superior Court of the County of Warren, and thereupon
Sentence of death was passed upon him, and Whereas
the Judge who presided at the Trial and the Jury who
found him Guilty, and many other respectable Citizens
have represented to me that he is a proper object of
Executive Clemency. Now Know ye, that I having mature-
ly Considered the Representations aforesaid, and the
Circumstances attending the Case do, by virtue of the powers
in me invested as Governor of the State aforesaid, Pardon
the said Terry Trapp, and remit the punishment of death
which he is adjudged to suffer in Consequence of the
Conviction aforesaid.

Given under my hand and the Great Seal
of the State at the City of Natchez the
20th day of September 1818

By the Governor (Signed)
Daniel Williams, Sec'y of State

David Holmes

Sir, Natchez 9th october 1818.

I have had the honor to receive your letter of the 8th. M
last on the subject of Public improvements.

No means have ever been adopted to obtain correct inform
as to the facility with which the numerous Rivers of this Sta
can be opened or to ascertain the distance that the can be
rendered Navigable; the only knowledge I possess upon this
points, has been drawn from my own observations and the repre
=sentations of others, It is however evident that great & immedia
advantages would result not only to the Citizens of this State
but to the Government of the United States, from works of this
kind being completed. From the short time that has elapse
since the admission of the State into the Union the Legislatu
have not had an opportunity of attending to the subject
of Public improvements. We have no Public works carried
on by the State or Companies or incorporations. Under the
Territorial Government, Laws were passed appointing
Commissioners to open and clear the Pearl River and Bayo
Pierre. For this purpose they were authorized to compel
the Hands liable to work on the Roads within certain
limits, to apply that labor to the Rivers. In addition to this
they were authorized to raise a sum of money by Lottery.
At the last session of the Legislature Commissioners were appointed
and authorized to raise the sum of three thousand dollars by
Lottery, to be applied to the improvement of the Pascagoula,
Leaf and Chickasawhay Rivers. From the uncertainty and
inadequacy of these means, but little progress has been made in
accomplishing the views of the Legislature.

The Rivers of this State from the circumstance of there being
no Rock to contend with, and no falls that would require a lock
canal, can be easily rendered Navigable - the principal obstruc
-tions, being Rafts of timber and shoals. The streams susceptible
of improvement with a view to immediate advantage are
Pearl River, Pascagoula, Chickasawhay, Leaf, Homochitto, and
Bayou Pierre. The Big Black and Yazoo, which are two of
the most considerable Rivers of the State, both principally thro
Lands in possession of the Indians. The improvement of the
Navigation of the former, would greatly facilitate the transp
-ortation to markets, the products of a thickly populated
County - but the Navigation cannot be extended higher than
the Line. The same may be said of the Yazoo Creeks except
that which is susceptible of being made Navigable a few mile
above the Line.

The opening of Pearl River, from its Central situation, from the distance it can be rendered Navigable for Boats of considerable Burden, and from the extent of Country that would be benefitted by its Navigation, a great portion of which is the property of the United States, is entitled to early attention. Boats of Light Draft have ascended this River as high up as the Choctaw Agency, and I am informed it may be made navigable in the Winter and Spring months for forty miles by the Course of the River, above that point. The Pascagoula from the Gulph to the Junction of the Chickasaw and Leaf Rivers, at an inconsiderable expense may be rendered Navigable for small Coasting vessels. Large Keel Boats have ascended the Chickasaw Bayou to the Town of Manchester, which by the meandrings of the River is twenty or Eighty miles above the line of demarcation the water is sufficient for Boats of the same description fifty miles higher up and for smaller crafts to the old Choctaw agency, a distance made of one hundred and fifty miles above the Junction. Leaf River may be easily made passable for large keel Boats from the Junction for twenty or Eighty miles, and for smaller Boats thirty miles higher up. The Homochitto which enters the Mississippi about ten miles above Fort Adams can be rendered Navigable for Boats from Morgans Fork to its mouth, a distance of between twenty and Eighty miles. This Stream passes through a thick settled fertile Country - the Citizens of which in its improvement are generally wealthy, and would I have no doubt contribute liberally, to the accomplishment of the work. The Navigation of the Bayou Pierre depends at present upon the Back water of the Mississippi. On the South Fork it extends to a short distance above Fort Gibson and on the North Fork to the Grand stone Ford.

We have no Turnpike Road, and as yet none have been authorized by Law. Gravel is the best material for making pavement Roads that can be procured in the Southern part of the State, the Northern section affords Limestone and other Rock that would answer the purpose. It is contemplated whenever the prosperity of the State will justify the undertaking to improve three principal Roads within the State. One leading from this place in the direction to the City of Washington, one to St. Stephens, and one to Madison ville on Lake Pontchartrain.

It is highly important, not only to the interests of this State but to Government of the United States, that there should be established and kept constantly in repair, a Road by the shortest practicable route from the Eastern part of the State, to the Seat of the General Government.

I am Sir with sentiments

Honbl Wm H Crawford of high respect &c.
Secretary of the Treasury David Holmes

David Holmes Governor of the State of Mississippi.
To the Sheriff of Adams County and all others whom it may concern
Whereas, Eugene Magee and John F Bowie now standy
convicted in the Superior Court of Adams County for Challenging
to fight a Duel and bearing the Challenge, and whereas
the Judge who presided at the Trial, and the Jury who found
them guilty, and other respectable Citizens, have represented
to me, that they are proper objects of Executive Clemency,
Now Know ye, that I having maturely considered their
representations aforesaid and the circumstances attending
the case Do by virtue of the powers in me vested as Governor
of the State aforesaid Pardon, and remit the punishment
which they are liable to suffer in consequence of the
conviction aforesaid, costs of prosecution excepted.
Given under my hand and the great
Seal of the State at the City of Natchez
this 29th day of October 1818 and
43rd year of Independence
David Holmes

By the Gov. Signed
Danl Williams Secy. of State

Natchez 31st October 1818

Sir,
I sincerely regret that you cannot find it convenient
to hold the offices of Chief Justice and Justice of the Quorum
for Claiborne County, conformably to the recommendation
of the Court. I have appointed Wm Murdock Esqr
of the Quorum and Joseph Moore Chief Justice
I am with sentiments
of high respect your
obedient Servant
Daniel Verner Esqr David Holmes

Natchez 7th Novr 1818

Sir, I have received your Letter of the 2nd inst. the regular mode of offering a resignation is through the Commanding Officer of the Regiment. Presuming however that you have not been the General Order upon this subject, and being satisfied with the cause you assign, I have concluded to accept your Resignation, to take effect when your successor is appointed.

I am Respectfully &c.
Capt Gibson Clarke. David Holmes

Natchez 22nd Nov. 1818.

Sir, I enclose to you a Commission for Robert Stacy as adjutant to the 10th Regiment. Under the existing Law of the State the Executive cannot issue Military Commissions but upon the return made in pursuance of an Election. I therefore do not think that I am authorized to comply with your request of forwarding Blank Commissions. Under the Territorial Government and especially during the war, this mode of filling the Offices in distant parts of the Territory was in some instances adopted, the power of appointment however was then wholly in the Governor.

I am with great Esteem &c.
Col. Wm McGowen 10th Regt. David Holmes

Natchez 22nd Nov. 1818.

Sir, I have had the honor to receive your Letter of the 13th Inst. requesting information in relation to the appointments and regulations of Officers of the Militia. The Commander in Chief is alone authorized to accept the resignation of an Officer. The Col. or Commandg. of a Regiment is the person who is to receive the communication from any inferior Officer in his Regiment containing a tender of his resignation, and is to transmit the same to the Adjt. General who is ordered to lay all such communications before the Governor for his decision. No officer will be considered as out of Service prior to a notification of his resignation being accepted, directed either to himself or the Commanding Officer of the Regiment, no election can take place until the vacancy actually occurs. A Genl. Order was issued on this subject on the 29th Oct to which I refer you.

I am with respect &c.
Brig. Genl. David Dickson David Holmes

David Holmes Governor of the State of Mississippi

To the Sheriff of Adams County

Whereas Samuel L Fenton who was elected a member of the House of Representatives from the County of Adams in the General Assembly of this State, hath resigned his seat, I do therefore issue this writ authorizing and directing you to hold an Election in your County, on Monday the 28th day of this present Month and the day following to fill the vacancy occasioned by the aforesaid resignation, and moreover I do enjoin you to conduct the said Election in all respects conformably to Law

Given under my hand and the great Seal of the State at the City of Natchez the 2nd day of December in the year 1818 and the 43rd of Independence

By the Governor
Daniel Williams
Secretary of State

David Holmes

Sir,

Natchez 9th December 1818

Your Letter of the 29th ultor I received on the 28th Inst In consequence of the accident which happened to the Steam Boat Orleans, I have not as yet had it in my power to forward to Erwin McLaughlin 16 or the 100 copies of the Digest. as however is expected here in the course of two or three days you may rest assured that I will embrace the first opportunity to comply with your request. + I directed the accounting officer of the State some months ago to make out the account between this State and the Alabama Territory. The former Treasurer Judge Brooks being dead and the present Treasurer an Auditor being lately appointed some difficulties have occurred in making out an accurate Statement, with the aid however of Mr Watton the late Auditor - I expect it will be in my power to forward you the account by the next mail.

Yours Respectfully
David Holmes

Governor Bibb.

P.S. since writing the above I have been informed of an opportunity of sending the Books to New Orleans by a Boat which will leave here on Monday next

D H

Natchez 12th Decmb 1818

Sir, Your letter of the 27th Octr. I did not receive for a considerable time after it was regularly due, in consequence I presume of its being directed to Washington instead of this place. Of the thirty Volumes of State Papers, which you state were transmitted to me. I have received but twenty Eight. the other two I presume have been detained at some one of the Post Offices on the route. I will make the necessary enquiry and let you know the result.

I am with great respect &c.

Lotan D Adams Esq. of State U.S. — David Holmes

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Gentlemen, Natchez 17th December 1818

Conformably to a request of Governor Bibb of the Alabama Territory I forward to you a Box containing one hundred Copies of the Digest of the Laws of the late Mississippi Territory

I have the honor to be &c.

Erwin McLaughlin Esq. New Orleans. — David Holmes

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Sir, Natchez 20th December 1818.

In Conformity to a request of Gov. Bibb's I herewith transmit to you a Copy of the Journal of the Convention that formed the Constitution of this State, and also a Copy of the Laws passed at the first Session of the General Assembly

I have the honor to be &c.

J. Parker Esq. Huntsville — David Holmes

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David Holmes Governor of the State of Mississippi.

To the Sheriff of Franklin County:

Whereas Gray Briggs who was Elected a Member of the House of Representatives from the County of Franklin in the General Assembly of this State hath resigned his seat. I Do therefore issue this writ authorizing and directing you to hold an Election in your County on Friday the first day of January next and the day following to fill the vacancy occasioned by the aforesaid Resignation, and moreover I do enjoin you to conduct the said Elections in all respects conformably to Law.

Given under my hand and the Great Seal of the State at the City of Natchez the 22nd day of December in the year 1818. and the 43rd of the Independence of the United States of America

By the Governor. (Signed) David Holmes

Daniel Williams

Natchez 23rd December

Sir, Mr. Briggs' resignation was not received until last even
I now enclose to you a writ to hold an Election in your Cou
on the first day of January next to supply the vacancy, this day
was appointed in consequence of Mr. Briggs' stating that it
would afford the best opportunity of obtaining a general vote
the County as many persons were then expected to be at the Cou
House.

Yours with respect &c.
David Holmes

Sheriff Franklin County

Message.

Gentlemen of the Senate
and of the House of Representatives.

Since the last adjournment of the Legislature, no incidents
have occurred, materially affecting the political affairs of the
Government, or the general prosperity of the State. The tranquility
the Country remains uninterrupted. Commerce and Agricul
continue to prosper, and industry in the various avocations of li
has been attended with all the success, which have been reason
anticipated. Our Citizens in general have enjoyed an uncomm
degree of health, and this City which was so greatly afflicted a
the period appointed by the Constitution, for the first session o
the General Assembly, has not only been free from every thing lik
endemick malady, but almost wholly exempted from those d
=ases which are incident to southern Climates. For these and fo
the numerous blessings with which we have been favored, we
to the Divine superintending Providence our sincere and
grateful acknowledgments.

Upon the last Legislature devolved the important duties of
carrying into full operation, the various provisions of the Con
=stitution of the State. In executing this arduous task, and mo
especially in adopting new and entire systems, it was to h
been expected, that time would soon discover omissions an
defects, which would call for the revision of future Legislatures
The laws however, which have as yet been developed are neither
numerous, nor of a character, to have produced any derange
in the general Administration of the Government.

Experience being the best guide by which the business of Legislation can be
conducted, with their advantages to the community, it becomes the duty of th
Executive, to recommend such alterations and amendments as appear to
required from the operation of the laws.

No department of the government is more worthy the special attention of the Legislature than that of the Judiciary: the safety of the persons and property of our citizens, the honor and credit of the State, and, in truth, the main benefits, to be derived from a free government, rest in a great measure upon the impartial, uniform and correct administration of Justice. Hence in all countries where the Laws are supreme and more especially where they emanate from the people themselves, it is the duty of those who are clothed with the Legislative authority, never to relax in their endeavors to bring to the highest perfection that is attainable, a system upon which so much depends.

The Act passed at the last Session upon this subject in conformity to the injunctions of the Constitution, have in their operation exhibited defects which require the power of the Legislature to remedy. The Courts are not clothed with sufficient power to compel the punctual attendance of Jurors. Twenty dollars which is the highest sum that can be legally specified against a defaulter, is in many cases so inconsiderable to ensure obedience to the precept. Independent of the delays occasioned by want of this authority, in the Courts, it operates peculiarly hard upon those whose circumstances will not admit of their incurring the fine, by devolving upon them an unreasonable portion of the duty. Under the existing Law the Judges alone of the Supreme Court, are alone empowered to order Bail to be taken in certain cases. This from the small number of which our Judges consist, and from their being obliged to assemble semi-annually at one point, for the purpose of holding the Supreme Court, frequently subjects suitors to great inconvenience, and many, in some instances to actual loss. As a remedy I would suggest to the Legislature, the propriety of investing an authority in Judges of the County Courts, to order bail in the cases alluded to, subject however to the reconsideration of the Judges of the Superior Court, provided the defendant felt himself aggrieved by the proceedings of the Judge of the County Court.

The Sessions of the Superior Courts being limited to a certain number of days, the Term may happen to expire, after the Court has progressed in the trial of a cause, this would occasion an unnecessary waste of time, and an augmentation of costs; to prevent which the Term should be extended, as as to meet the case.

By the Constitution, the Courts respectively, are authorized to appoint their own clerks; as this duty cannot be performed but when the Judges are in session, and as vacancies may happen in the recess, the power for holding Special Courts for that purpose ought to be granted.

By the act passed at the last session, establishing County Courts, the
of appeal from the decision of a Justice of the Quorum or of the peace
either to the County Court or to the Superior Court. I would suggest
the Legislature the propriety of confining the right to the County Cou
in the first instance. By the same Act, the County Courts are inve
with the power of trying slaves, but no authority is given to summon
and empannel a Jury, which renders the power nugatory, as the Consti
declares, that in capital cases, slaves shall be entitled to an impart
by a petit Jury. In remedying this omission, an authority should
given, to call special courts for this purpose. There is no law at
present directing Justices of the Quorum and of the peace to requ
bond and security upon appeals taken from their Judgment.
It seems to have been unintentionally omitted in the general
law upon the subject.
In revising the several acts alluded to, I have no doubt Gentl
that amendments and alterations, in addition to those I have
stated, will suggest themselves to you, as proper; and I feel
confident, that as this important branch of our government
ments, as it will receive your deliberate consideration.
In connexion with the subject of the Judiciary, I invite the attention o
the Legislature, to the Laws for the punishment of crimes. That a co
of Criminal Laws, which shall conform to the genius of our Govern
can be formed, without adopting other modes of punishment than
at present tolerated, must be considered by all at least as doubtful
It becomes us therefore, to enquire, whether the present state of ou
population and resources, would not justify our entering upon
dytem, which in many of the States, has been attended with
happy effects. It has been ascertained by experience, that wh
penitentiaries, have been established and well conducted, tha
crimes have lessened, from the certainty with which punishmen
is inflicted, and that the expenses have proved to be inconsidera
when contrasted with those attending punishments where n
such establishments exist. To these advantages, we may add th
benefits which result to the cause of humanity, from an
institution, which combining the object of reformation with
that of correction. Although we could not at present conveni
incur the expense of erecting buildings upon a scale calculated f
a population which the State is destined to attain (at no distant
period) yet a plan might be adopted that would admit of a pa
being completed sufficient for our purposes for some years to com
the remainder of which could be finished whenever the neces

of the State would justify a further expenditure for the same object.

Should the Legislature, however, deem it expedient to undertake, at the present Session, any radical change in the Laws for the punishment of public offences, yet I apprehend they will consider it necessary to revise those now in force. That punishments should be regulated according to the nature and magnitude of crimes, is a maxim founded upon Justice and humanity. It is equally true, that the operation of Criminal Laws should be uniform throughout the State. Our present Code, in some instances, does not correspond with these fundamental principles: the crime of Forgery is placed upon the same footing with that of the most atrocious murder. It is true that in Commercial Countries, policy requires that this offence should be punished with severity; still there should be some distinction made, between an attempt upon private property, and those crimes which exhibit the highest degree of moral turpitude. The circumstances of the Statute and Common Law, having in some instances, a concurrent Authority, and prescribing different punishments for the same Offences, occasion a want of uniformity, and vests a discretion in the Officers of Justice, where the Law itself should decide with precision and certainty.

The State being one of the Judicial Districts of the United States, I recommend to the Legislature, to pass an Act in Conformity with a Resolution adopted by Congress, recommending to the several States, to make it the duty of Keepers of Jails to receive prisoners committed under the authority of the United States.

The Militia being regarded as the chief resource for the defence of the Country, it is all important that every effort should be made, to produce that State or order and discipline so essential to render them an efficient force when called to act. In carrying into operation the system adopted by the last Session, defects have been discovered in the details of the Law, which require the attention of the Legislature. Elections for Company Officers are directed to be held in the presence of two Freeholders and a Justice of the Peace; delays and disappointments frequently occur in Consequence of the difficulty of procuring a Justice of the peace to attend upon these occasions; some other mode ought therefore to be adopted.

It was found impracticable to organize the Cavalry into a Regiment without doing injustice to the different sections of the State. I therefore deemed it proper to defer appointing the Field Officers until the

Legislature should have the opportunity of revising that part of the law which respects this force. It has been represented to me that the drill musters which the Generals of Brigade are directed annually to order, are attended with so much inconvenience to those who belong to brigades that comprise a large extent of country, that it will be difficult to keep the Regiments officered. That advantages result from assembling at one point the officers of an entire brigade - is evident; but the acceptance of an office is optional, and there are many whose circumstances will not permit them to lose the time and encounter the expense of attending at a great distance from their homes. I do therefore where the inconvenience is felt, the drilling of the officers may be committed to the brigade inspector, whose duty it should be to attend in each County within his Brigade for that purpose; and who should receive an adequate compensation for his services. In the course of the session, I expect to have it in my power to submit to you additional information respecting the operation of the several laws concerning the militia; and as the subject is one of the highest importance to the security of the Country, I entertain no doubt, Gentlemen, but that it will meet with your attentive consideration.

There are few objects of political economy more important to the internal comfort and convenience of our citizens, than that of establishing and keeping in repair, such Roads and Highways as are requisite for the purpose of facilitating intercourse between the different sections of the state, and transporting to market the products of the Country. I therefore recommend to your attention the existing Laws upon the subject, and feel confident from combined information of the General Assembly, that they will be enabled to make beneficial alterations in the present system.

In pursuance of the power granted in the 7th section of the act concerning the Revenue, I borrowed from the Bank of the State, on account of the public, twenty thousand dollars; of this sum five thousand dollars was applied to the purchase of Bank stock, the remainder after deducting the usual discount, was placed in the Treasury. The loan was made payable on the first of the present month, but as the Treasury was not in a situation to discharge the debt, the time was prolonged for another year, with the understanding that the whole or any part of the loan at the option of the government, might be redeemed at an earlier period.

The debt due from the United States, for money advanced during the late war, still remains unsettled, but as the requisite vouchers have been obtained, we may reasonably hope the amount

liquidated and paid. The accounts with the Alabama Territory have not been finally adjusted; the Treasurer, however has ascertained that no money remained in the Treasury, after paying the expenses of the Convention. At the request of the Governor of that Territory I forwarded to him one hundred Copies of the Digest of the Laws, for which the State is to be allowed a price at the rate of the original cost. As returns from the Agents and Collectors have been made but in a few instances, to the accounting officers, we are unable at present to ascertain the amount of the Revenue for the last year. As soon as the information can be obtained it will be laid before you, together with an estimate of the expenses of the present year.

It appears from the books of the Treasury, that on the 24th. January 1818 the cash on hand amounted to 11628 dollars 45 cents. From that period to the first of the present month, there has been received, including the money borrowed from the Bank 45838 dollars 23 cents, making a total of 57466 dollars 69 cents. Out of this sum there has been disbursed for the expenses of the Government, 39753 dollars 27 cents, and for bank stock 5000 dollars, leaving in the Treasury the sum of 12713 dollars and 42 cents.

Although the unsuccessful termination of the negotiations held with the Choctaw Indians in October last is greatly to be regretted, yet I have the satisfaction to inform you that from representations made to me on this subject, there is cause to believe that the time is not far distant when these people will see their real interest in yielding to the views and wishes of the General Government.

I offer you Gentlemen, my co-operation in the adoption of all measures calculated to promote the welfare and prosperity of our Constituents.

January 5th. 1819. (Signed) David Holmes

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To the Senate and House of Representatives

I lay before the General Assembly a report from the Secy. of State, containing a list of appointments made, to fill vacancies which happened in the recess of the Legislature. The resignation of the district attorney, for the Fourth Judicial district was not received until the commencement of your session; the office is therefore vacant.

January 7th 1819 (Signed) David Holmes

David Holmes Governor of the State of Mississippi

To the Coroner of Franklin County:

Whereas Luther Harrison late Sheriff of Franklin County hath resigned that office, these are therefore to authorize and direct you to hold an Election, in your County on Monday the Eighteenth day of the present month and the day following to supply the vacancy occasioned by the aforesaid resignation and moreover, I do enjoin you to conduct the said Election in all respects conformably to Law

Given under my hand and the Great Seal of the State at the City of Natchez the 8th day of January in the year 1819

(Signed) David Holmes

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To the Senate and House of Representatives of the State of Mississippi

I lay before the General Assembly, a report from the Secretary of State, by which it appears, that the office of Chief Justice of the County Court, for Jackson County, the office of Justice of the Quorum for the same County, and the office of Justice of the Quorum for the County of Jefferson are at present vacant

January 19th 1819. David Holmes

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To the Senate and House of Representatives of the State of Mississippi

I transmit to the General Assembly, a copy of a letter, received from John McKee Esquire, agent to the Choctaw nation of Indians, relative to a subject of much interest to the citizens of this State, and upon which the Legislature alone are competent to act.

January 20th 1819 David Holmes

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To the Senate and House of Representatives of the State of Mississippi

I inform the General Assembly, that Charles M Norton Esq having resigned the office of Chief Justice of the County Court of Adams County, that office is now vacant

January 20th 1819 David Holmes

To the House of Representatives of the State of Mississippi

I acquaint the House of Representatives, in compliance with their Resolution of the 23rd. instant, that since the passage of the Act, entitled "An act supplemental to an act to establish a Bank in the Mississippi Territory"; I have at different periods exercised the authority vested in the Executive, by the 13th. Section of that law. In some instances verbal statements were made at my request; in two instances I received written statements which were immediately furnished by the Cashier of the Bank; Copies of these documents, with a statement made up to the 23rd. instant, are herewith transmitted.

I would observe, that the monies represented in the statements as deposited in other Banks may properly be considered as equivalent to cash on hand; checks upon those funds, as I am informed being frequently preferred to Specie: this results of course from the operations of our trade, and the nature of Exchange.

29th January 1819. (Signed) David Holmes

Returned to the House of Representatives, for the consideration of the Legislature, the following Acts. "An act to establish an additional place of holding elections in Jefferson County". "An act to alter and amend an act entitled an act to establish a separate election district on the Counties of Amite, Claiborne and Green" and "An act to establish a separate election district in Franklin County.

The 5th. Section of the third article of the Constitution, declares that Elections for Representatives for the several Counties, shall be held at the places of holding their respective Courts, or in the several election districts into which the Legislature may divide any County.

The Acts now returned, merely establish places of holding elections, without pointing out the bounds of the districts. As the Constitution has imperatively provided the mode for the Legislature to follow in relation to this subject, I am of opinion that no other can be Constitutionally adopted. As it does not appear, however to be the intention of the Legislature, to confine the voters to vote in their respective districts, I would suggest that a special designation is not requisite to comply with the injunctions of the Constitution. It would be sufficient to describe the extent by distances from any central point, that might be adopted as the place for holding the election.

February 9th 1819.

(Signed) David Holmes

To the Honorable House of Representatives

In compliance with their Resolution of the 23rd inst. of last mo
I now transmit to the House of Representatives a Report fr
the Auditor of Public Accounts.

10th February 1819. (Signed) David Holmes

To the Senate and House of Representatives of the State of Mississip

I inform the General Assembly that William D Baker has
resigned the office of Justice of the peace and of the Quorum
for the County of Adams, the same is now vacant.

February 15th 1819 David Holmes

To the Senate and House of Representatives of the State of Mississip

I transmit to the General Assembly a copy of a letter from
Samuel M Burnside, Secretary of the American Antiquarian
Society requesting printed copies of the Laws and public
documents of the State, for the purpose thereon mentioned
Several of the States have at different periods forwarded
to the Executive department, Copies of their Laws, with a
request that we would reciprocate with them instances
of respect and attention

February 15th 1819. David Holmes

To the Senate and House of Representatives of the State of Mississip

I transmit to the General Assembly certain Resolutions
by the States of North Carolina, Vermont, New York, Ge
New Hampshire and Ohio, relative to the amendments pro
to the Constitution of the United States, by the States of
New Jersey, North Carolina and Kentucky, also a Resolut
from the State of Connecticut, proposed by the State of New Jer
which was acted upon at the last Session of the Legislature.

February 16th 1819. (Signed) David Holmes

I return to the House of Representatives for their reconsideration of the Legislature, the act entitled an "An act to alter the times of holding Courts in the fourth Judicial district of this State, and for other purposes". By the third section of this act it is made the duty of the Governor to appoint a Sheriff and Coroner in the County of Covington; the Constitution directs that these officers shall be elected by the qualified electors in the several Counties. It is not therefore in the power of any department of the Government to perform this duty. The Legislature may appoint the time and place, and prescribe the mode of holding the election as they may authorize the Executive to issue a writ, directed to a Justice of the peace or of the Quorum for that purpose.

18th February 1819. (Signed) David Holmes

To the Senate and House of Representatives of the State of Mississippi

I Lay before the General Assembly the Report of the President of the Board of Trustees of Jefferson College

18th February 1819. David Holmes

David Holmes Governor of the State of Mississippi

To Lohn Shipp Esqr. Chief Justice of the Quorum for the County of Covington, or any Justice of the Quorum or of the Peace.

Whereas by a Law passed on the Fifth day of February Eighteen hundred and Nineteen the County of Covington was erected into a separate County, and whereas the office of Sheriff and Coroner now being vacant in said County. And Whereas, by a Law passed on the twentieth day of February Eighteen hundred and Nineteen, Authorizing the Governor of this State, to direct a writ of Election to any Justice of the Quorum or of the Peace in said County to hold an Election to fill such vacancies. Thou are therefore to command and require you to hold an Election at the house of on the Fourth Monday in April next and the day following to fill said vacancies. and you are moreover required to conduct said Election in all respects conformably to Law.

Given under my hand and the Great Seal of the State at the City of Natchez this 20th day of February 1819. 43rd year of Independence

By the Governor (Signed) David Holmes

David Williams Secy of State.

Dear Sir, Natchez 4th March 18[illegible]

Agreeably to your request & recommendation I transmit to you a commission for Thos Knowland as adjutant of the first Regiment

Yours with respect &c.
Col. Peck 1st Regiment. David Holmes

Sir, Natchez 11th March 1819

I have received your letter of the 7th Inst. last, and now transmit to you the Rolls which accompanied it certified in the usual manner. I have no doubt but they will be considered sufficient by the Paymaster General, as it is the form which I used while Col. Shaumburg acted as Paymaster of the district. In fact I could not be more particular as there are no documents in this Office which furnish any information upon the subject.

I am with great respect &c
E. Nicholas Esqr. Paymaster. Nashville David Holmes

Dear Sir, Natchez 11th March 1819.

I enclose to you the Rolls, you transmitted to me certified agreeably to your request. As I had no recollection of the loss of the Rolls, of Capt. Roberts' company and as the copy was not certified by a Field officer, which the regulations of the office of the Paymaster General requires I could merely from my belief of the correctness of Lt. May's certificate this I hope will be sufficient

Yours with respect &c.
Henry Hitchcock Esqr. David Holmes

Dr. Sir Natchez 6th April 1819

A Petition from Lamy Baker for a Pardon was handed to me by William Baker his son, in the Petition Baker states no circumstance that would justify the interposition of the Executive - and as I am entirely unacquainted with the transaction I have informed Mr. Baker that I could not consistently with the rule which I have established for my own Government in cases of this kind, say any thing upon the subject unless the Judge who presided at the trial should recommend from consideration the claim of the prisoner to mercy. The petition is signed by a number of Citizens say 78. many of whom are told are respectable, but no fact is stated which ought to shew that the Executive ought to interfere. William Baker who handed me the Petition states that your

promised to write to me upon the subject, which has induced me to make to you this Communication.

I am with respect &c.

Judge Ellis — David Holmes

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Sir Natchez 14th April 1819

On yesterday I had the honor to receive your letter of the 4th. ult. By the same mail I received from the Treasurer of the United States a letter covering a draft in my favor upon the Branch Bank of the U.S. Bank at Orleans, for $4585-64 For this sum I have transmitted to the Treasurer a receipt, a duplicate whereof is here inclosed. I shall direct that the articles of camp equipage on hand be turned over to some officer in the Service of the United States, and will cause his receipt to be transmitted to your office.

I am with respect &c.

Peter Hagner. 3rd Auditor — David Holmes

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Sir Natchez 14th April 1819.

On yesterday I had the honor to receive your letter of the 9th ult. covering a draft in my favor upon the Bank of the United States, payable at the Branch Bank New Orleans for $4585. 64 cts For which sum I now enclose to you a receipt, a duplicate of the same will be transmitted to the Office of the 3rd Auditor conformably to his instructions.

I am with respect &c.

Wm. H. Crawford. Treasurer U. States — David Holmes

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Natchez 14th April 1819.

Received of Wm. J Zuber Esqr. Treasurer of the United States a draft upon the Bank of the United States, payable at the Branch Bank at New Orleans, for four thousand five hundred and Eighty five dollars and sixty four cents, being the amount of a warrant issued by the Secretary at War, to discharge a claim for supplies furnished the Militia by the Mississippi Territory, in the late war.

David Holmes

(Signed duplicate,) Governor State Mississippi

Natchez 15th April 1819

Dear Sir, The Gentleman who was appointed Chief Justice of the County of Hancock, having resigned his Office, I now enclose to you a Commission for the same

with great respect &c.

N. Lourdan Esqr Bay St. Louis. David Holmes

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Natchez 21st April 1819.

Dear Sir,

Mr. John Brewer having resigned the Office of Justice of the Quorum and Treasurer of the County of Jackson — I have appointed you to fill the former office, and must request that a person be recommended according to Law to fill the office of County Treasurer. By a Law of the last Session both these offices cannot be held by one person

with great respect &c.

Archd McLanes Esqr. L. County. David Holmes

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Natchez 28th April 1819.

Dear Sir,

In pursuance of an Act passed at the last Session of the Legislature, I appointed seven Gentlemen of the Medical profession, to act as Censors; you were selected for one of the number, of which the Secretary of State informed you by a letter dated 17th Inst. directed to Liberty in Amite. As no acknowledgment of this Communication has been received we are at a loss to know whether it is your intention to accept the appointment. Be pleased to let me hear from you upon this subject, by the earliest opportunity.

with great respect &c.

Dr. Wm Lattimore Amite County. David Holmes

P.S. The Board are to meet on the 3rd Monday in next month when I shall be happy to see you here. D. H.

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Natchez 2nd May 1819

Sir,

I have had the honor to receive your letter of the 6th Inst. recommending certain persons for Offices in Green County. as the communication is signed Officially, I have considered it the act of the Court, It is proper however in all recommendations that the Clerk should certify the proceedings this you will please to observe in future.

with my great respect

your obedient servant

David Holmes

Asa Hartfield Esqr.

Chief Justice Green County

Natchez 13th May 1819.

Dear Sir,

The bearer an Indian of good character will hand you a letter, I received from Col. M'Kee which states that in December last a Negro belonging to some person in your Parish took from him two Horses and when overtaken refused to deliver them unless a reward was paid. The object of the Indian is to obtain his property, and as I am confident that it will give you pleasure to be instrumental in having Justice rendered to him, I take the liberty of asking your attention to his case, and of requesting you to take such measures, as you may deem proper, to have the Horses returned. Your attention to this application will oblige your

Edw. Broughton Esqr. Obedient Servant

Parish Judge Concordia David Holmes

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Sir, Natchez 21st May 1819.

In Consequence of the Officers having in many instances during the late war omitted to keep duplicates of the Muster Rolls, It became necessary to deliver over to the Pay Master, such as were forwarded to this Office. I do not believe that any Roll of Capt Aeklands Company was ever received here. I have upon examining this file found a return made by Col. Perkins of some of the Militia who served for short periods under his Command. From this it appears that Capt. Aekland (if I read the name correctly) served from the 3rd of October to the 7th Nov. and that his company Consisted of one Captain one Lieutenant one Ensign four Sergeants four Corporals and 33 privates

I have the honor to be with great respect &c

Th. Nicholas. Esqr. David Holmes

Pay Master. Huntsville

P.S. The name in the return is written Aeklands which I presume was intended for the person mentioned in your letter.

D. H.

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Sir, Natchez 22nd May 1819

I have the honor to transmit to your Excellency an affidavit made by I. A. Maxwell and Lamy Hughes, Sergeant and Private with having committed a murder within the boundaries of this State upon the Body of William D. Hughes, and stating that the said Private who is now a fugitive from Justice) they believe is at present confined in the Gaol of Jackson County in the State of Georgia, and that he has taken the name of Edward Cassady. It is a notorious fact that William D. Hughes was murdered a short distance below Fort Pickering on the Mississippi River and that the perpetrator

immediately made his escape. I therefore deem it my duty
[illegible] acquaintance of the Act of Congress to demand that your Excellency
will cause the Body of the said Samuel M Few to be delivered
James Moore who I have appointed an agent on the part of
this State to receive him and to convey him to Warren Coun
in this State where he will be legally tried from the crime
which he is charged
with great regard. I &c.
Governor of Georgia — David Holmes

David Holmes Governor of the State of Mississippi
To all who shall see these presents;
Be it known that I do hereby appoint James Moore an agent
the part of this State, to receive, from the Executive authority of
State of Georgia, the Body of Samuel M Few who has been Charge
with having committed a murder, with the Jurisdiction of
this State, upon the Body of William P Hughes, and who is
a fugitive from Justice. And I do further authorize the
agent to convey the said Samuel M Few to the County of
Warren in this State, where he will be dealt with accord
to Law.

Given under my hand and the Great
of this State at the City of Natchez
the 23rd day of May 1819.

(Signed) David Holmes

Sir, Natchez 23rd May 1819.

I have concluded to make a demand from the Govern
of Georgia to deliver Samuel M Few. But as your Affidavi
may possibly be considered as not sufficiently explicit to just
the delivery - I would advise you to procure additional testim
as to the fact, and also evidence if possible, to identify Few. The
Affidavits must be authenticated at this office. James Moore
has been appointed the agent on the part of this State.

Las. A Maguerite — with Great respect I &c.
Lewis Hughes — David Holmes

Natchez 26th May 1819

Dear Sir,

I have received your letter of the 29th ult. Mr Sicard's Resignation was received and a Commission was immediately filled up with your name, which I forwarded by mail. I at the same time wrote to you, and among other things stated that it was my intention to visit the Bay in the course of the summer. I still hope to have that pleasure, in all next month you may calculate upon seeing me. Some friends have been urgent with me to offer for Congress & a Notice to that effect was published in the papers, but without my Knowledge. The nature of my private affairs require that I should retire for a while from public Employ. Be assured Sir that I fully appreciate your good opinion, and trust that the friendship we have formed in public life will never be interrupted

with great respect &c.

N. Lourdan Esqr — David Holmes

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Sir, Natchez 29th May 1819

I have the honor to acknowledge the receipt of your letters of the 20th March and of the 7th April last, also one copy of Seybert's Statistical Annals, and ten copies of the Acts of the last Session of Congress, In consequence of these Communications and Packages having been directed through mistake to the Town of Washington instead of this place, a considerable delay has occurred in their coming to hand, which will account for your receiving this acknowledgment at so late a period

I have the honor to be &c.

J. Q. Adams — Secy of State — David Holmes

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Sir, Natchez June 1st 1819

Some information has reached in this place stating that Samuel M. Hewes is probably confined in Jail at Boston in Massachusetts. I therefore advise the Agent Mr Moore to delay for a few days until the fact is ascertained

with great regard &c.

J. A. Maxwell Esqr — David Holmes

David Holmes — Governor of the State of Mississippi

To the Sheriff of Marion County:

Whereas Richardson Bowman, late a member of the Senate in the General Assembly of this State from the district composed the Country of Pike and Marion, hath resigned his seat. I do therefore espue this writ authorizing and directing you to hold an Election, Conformably to Law in your County, on first Monday in August next and the day following, to fill the vacancy occasioned by the Resignation of the said Richardson Bowman.

Given under my hand and the great seal of the State at the City of Natchez the 2nd day of June 1819

By the Governor (Signed) David Holmes

Daniel Williams Secy of State

A copy of the above writ of Election, (mutatis mutandis) was issued on the same day, directed to the Sheriff of Pike County

Natchez 10th June 1819

Sir,

I herewith transmit to you a Commission of Chief Justice of Justice of the County Court of Jackson County and have to request that you will acknowledge the receipt of the same by the earliest opportunity.

I have the honor to be &c.

Thos. Bibb Esqr. David Holmes

a Copy (mutatis mutandis) sent to Philip Howell, Clerk of the Quorum for Jackson County

Natchez 17th June 1819

Dear Sir,

Mr. Jacob Carter having resigned his office of Justice of the Quorum & appointed Alexander Dow to supply the vacancy. Mr. Dow has been represented to me as a respectable citizen and capable of discharging the duties of the office. It is however a matter of concurrence to the people that the appointments should be distributed throughout the County. I delayed making the appointment until this moment, in hope that the Court or some other respectable citizens who are acquainted with the respective places of residence of the members of the Court, would recommend a person to fill the vacancy. I shall set out from this place in the course of ten or twelve days for the Bay of St. Louis and

possibly pay you a visit on my return to the seat of Government

I am with very

great respect &c.

George B Dameron Esqr &c. David Holmes

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Natchez 21st June 1819

Sir,

The Sheriff of Adams County having represented to me that Arthur a man convicted for Murder is to be Executed this day, and having requested a Guard for the purpose of keeping order at the place of execution, you are hereby ordered to cause a Subaltern and twelve privates to be detailed, to perform that service. The commander of the Guard will consider himself under the direction of the Sheriff, and will respect his instructions in every thing that relates to the preservation of Order

Your obedient Servant

Colo. Foster of the 4th Regt &c. David Holmes

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Natchez 25th June 1819.

Sir,

I have had the honor to receive your letter of the 9th inst. The Quota of Arms intended for this State, I wish to have delivered at this place, A Steam Boat will afford the most safe and convenient mode of transportation, I will thank you to consign them to Colo. John Rickards, who is a merchant and holds the appointment of Quarter Master General of the State

I have the honor to be &c.

John Seymour Esq. St Orleans &c. David Holmes

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Natchez 29th June 1819.

Sir

By an Act passed at the last Session of the General Assembly the Counties of Green, Hancock and Jackson form one Senatorial district, but the law has omitted to designate the returning Officer. It will therefore be your duty to make a complete return of the number of votes given to each candidate, for Senator, to the Sec. of State, you will also give to each candidate if required a certified statement of the poll. I would also advise the several Sheriffs of the district to compare the polls after the Elections, and to inform the successful candidate of his Election.

A letter of the same purport written to, the Sheriffs of Hancock Green & Jackson & to Pike and Marion.

With great respect &c.

David Holmes

Dear Sir, Natchez 14th July 1819

I have written to you Several letters which I am apprehensive you have not received, they were directed via New Orleans I expected ere this to have been at the Bay St. Louis but have been frustrated by business of a private and Secrete nature. It will not be in my power to get out by the last of this month. Your Commission as Chief Justice was forwarded on April last. I shall however bring with me a duplicate and some blank Commissions to supply any vacancies that may have occurred since the last appointments were made

I am with sincere regard &c.
Nat Lourdan Esqr. David Holmes

Sir, Natchez 16th July 1819.

I have forwarded by this days mail Commissions for the Officers recommended by the County Courts of Warren at the last session, they are under separate envelopes and directed to the individuals appointed

I am with respect &c.
Clerk of Warren County David Holmes

Sir, Natchez 19th July 1819.

your letter of the 12th ult. stating that Peter Cox[ell] was duly elected Lt Colonel of the 7th Regiment and requesting that a commission might be forwarded to him, was received some days ago. I instructed the Adjutant General to point out the insufficiency of the return which I presume has been but as his communication may have miscarried, and as he is at present absent from the City, I have to inform you that all vacancies that may occur of Field Officers must be filled by an Election held under the direction of a Justice of the Peace and in ~~the~~ virtue of the Quorum and two Freeholders and in virtue of an Order from the Brigadier General. The Justices of the Peace or of the Quorum must make the return to the Executive, unless where there are more than one Election District in the County, in that case the Managers at each Election District, must make a return of the Vote to the person ordering the Election, who is to examine the Vote and return to the Executive the name of the person elected. I refer you to the 2nd and 7th Sections of the Militia Law passed in February 1818 and to the 15th Section of the amendatory Law of the last Session. with respect &c.
Lt. Col. Witherspoon. 7th Regt. David Holmes

Natchez 20th July 1819

Dear Sir,

I embrace the opportunity by Mr. Gordon of acknowledging the receipt of your letter of the 25th June last enclosed you have a copy of the Obligation given for the Arms furnished your Troops If you will forward an account of the disposition of them accompanied with such evidence as you can procure, stating the number lost &c. I will file it with the Bond and endeavor to have the business adjusted, altho I feel confident that under your directions they have been properly distributed, and used for the public service. Yet it is not in my power to cancel the obligation

with great respect &c

Col. Richardson, David Holmes

P.S. The business respecting public Arms distributed during the war will be settled by me and not by my successor.

D. H.

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Executive Department, State of Mississippi

Natchez 24th July 1819.

Sir,

I have the honor to transmit to transmit to your Excellency the Affidavid of J. A Maxwell and James Hughes, Charging Samuel M. Few with the Murder of William P. Hughes within the Jurisdiction of this State — Also the Affidavit of Wm. Yearby and Samuel Harrison disclosing facts Corroborative thereto. The said Few is now a Fugitive from Justice, and from informations I have received, I am induced to believe he is at present confined in the Gaol of Boston. It is a notorious fact, that Wm. P. Hughes was murdered a short distance below Fort Pickering on the Mississippi River and that the perpetrator immediately made his escape, taking with him a number of Negroes that had been in the possession of the deceased. I therefore deem it my duty in pursuance of the Act of Congress to demand, that your Excellency, will cause the Body of the said Samuel M. Few, to be delivered to Thomas Moore, who I have appointed the Agent on the part of this State to receive him, and to convey him to Warren County where he will be legally tried for the crime with which he is charged.

I have the honor to be with great consideration, your very Obedient Servant

David Holmes

Governor of Mississippi

David Holmes Governor of the State of Mississippi

To all who shall see these presents;

Be it known that I do hereby appoint Isaac Moore an agent on the part of this State, to receive from the Executive authority of the State of Massachusetts, The Body of Samuel H. Fewell who has been charged with having committed a Murder within the Jurisdiction of this State upon the Body of Wm. L. Hughes and who now is, a fugitive from Justice, and I do further authorize the said agent to convey the said Samuel H. Fewell to the County of Warren in this State, where he will be dealt with according to Law.

Given under my hand and the Great Seal of the State at the City of Jackson the 27th day of July 1819.

(Signed) David Holmes

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Gentlemen, Natchez 28th July 1819.

I enclose to you a letter for the Governor of Massachusetts, demanding Samuel H. Fewell also the Affidavits upon which the demand is founded. I will thank you after retaining a copy of the affidavits to seal the letter containing them and to forward the whole to Mr. Moore. I also request you enclose his appointment as agent

I. A. Maxwell
Isaac Moore & Hughes

Yours with respect
David Holmes

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David Holmes Governor of the State of Mississippi

To all who shall see these presents;

Whereas at a court held in the County of Adams on the 6th day of the present month for the trial of Slaves, a Negro man called Levi the property of a certain Noble was convicted of the crime of Robbery and sentenced to suffer death on Friday the 30th inst. And whereas the Court and Jury who tried the said Negro Levi have represented to me that from circumstances that came to their knowledge after the trial and conviction aforesaid, they are of opinion that the witnesses on the part of the prosecution were not entitled to credit. Now know ye that for divers good causes, and especially in consideration of the aforesaid representation I do by Virtue of the powers in me vested respite and suspend the Executions of the aforesaid sentence until the second day of October next ensuing.

Given under my hand the 29th July 1819. David Holmes

Natchez August 19th 1819

Sir I transmit to you a commission of Sheriff of Claiborne County. The receipt of which I will thank you to acknowledge by the first opportunity. Your term of service will commence after the expiration of the term of the present Sheriff Mr Briggs —

with respect &c.

William Bridges Esqr — David Holmes

Forwarded at the same time Commission to Lamy Crane Coroner of Claiborne, A Glass Sheriff of Warren Latitude Coroner of Warren

Natchez 19th August 1819.

Sir I had the honor to receive your letter of the 23rd June — as yet I have not been able to procure any information, relating to the Murder which you are inclined to believe (from what appeared upon the trial of John Anderson) was committed by him in this place, in January or February last. I therefore am not authorized to demand him of the Executive of your State. I have been informed that a dark coloured man by the name of John Anderson was concerned in a Riot under the Hill (being the place of landing) last winter, but there is no evidence of a Murder having been committed at that time. I thank you for the interest you have taken upon this occasion in support of Public Justice.

I am with sentiments of high

respect Your Obedient Servant

David Holmes

Lamy Mallory
or
John Bailey Down Tennessee

Dear Sir,

Town of Washington 17th Sept

I received your letter of the 28th July last and again called the attention of the accounting officers to the ... of adjusting the account between this State and the Alaba... Territory. The difficulties stated to you in a former letter upon this subject being removed, I am now enabled to transmit to you a statement of the general account with certain Documents to which it refers marked A. B. C. D. E. F.

By the Act of Congress establishing a Separate Territorial Government for the Eastern part of the Mississippi Territory it is provided: That at the time when the Convention authorized to form a Constitution and State Government for the Western part of the Territory shall have formed the same; the balance which may remain in the Treasury of the Mississippi Territory shall be divided between the State and Territory according to the amount which each may have paid

As no period is designated by the Act from which the payments are to be calculated, the Auditor deemed it just and correct to commence at a period when there was money in the Treasury and to calculate the payments made by each Division made the year 1816 exclusive. There being however no payments made by the Eastern Division for the year 1817 he has also taken into consideration the sums which fell due within the same period, and remain unpaid by Collectors and others who received Public Money. By the Statement marked B. you will see that the defalcations from the Counties that composed the Alabama Territory amount to $5796.73½ exclusive of the sum which is estimated to be due from the Collector of Madison County.

By the Statement marked C. the amount of defalcations of the Counties composing the Western Division is $2046.26½ Cents. The amount paid by the Eastern Division (stated in D) is 2271.84 dollars, and that the amount paid in by the Counties composing the Western Division (stated in E) is 934.26 dollars. The Auditors apportionment of the deficits in the General Account, has been made upon the ground, that each State is entitled to collect the arrearages due within its limits, and the amount paid into the Treasury by each is the data which he has adopted.

It is not improbable but that in some instances where balances are charged the persons against whom they appear, may be entitled to credits which they have neglected to procure

forwarding the requisite vouchers. As the Answer applies to both the schedules of defalcations, I presume the balance as stated in the General Account will not be greatly varied by such credits. If upon examining the accounts you should discover any errors in the calculations they will be readily corrected. Should the principles which the Auditor has adopted in making the settlement be in your opinion erroneous you will of course state to me your objections, and I assure you that I will cheerfully adopt the most liberal mode that can be suggested, consistent with Justice. I trust however that you will find the Statements correct and the data upon which the result is founded equitable between the parties. You will observe that the accounts are made up to the 15th day of August 1817 being the day on which the Convention adjourned no charge however is made for the expenses attending the Convention money for that object having been advanced by one of the Collectors out of the Tax Assessed for 1817. +

I have directed the Auditor to make out the accounts of those persons who are in arrears for money collected within your State which I will transmit to you duly authenticated so soon as they are prepared.

The communication with the documents that accompany it would have been forwarded to you at an earlier day, but in consequence of the Yellow Fever having made its appearance in the City of Natchez, we were compelled to remove the Public Offices, which created a state of things that prevented for some time a regular attention to Public business.

I am with great respect &c.

Governor, Bibb. , Regd. David Holmes

David Holmes Governour of the State aforesaid

To the Sheriff of Columbiana County and to all other Civil Officers to whom these

Presents shall come Greeting Whereas Samuel Tidewell and James Brown late of said County

for stealing and the latter for carrying a challenge, & Whereas

and Whereas the Grand Jury of the State aforesaid

extra present at the Trial and the Jury to said Court

have recommended to the said Governor & Council

as fit objects of Executive Clemency, Now Know ye that I

maturely considered the recommendation aforesaid and the

Circumstances as represented by the said Jury attending the case

Do by virtue of the powers in me vested as Governor of the State

aforesaid Pardon and Remit the punishment inflicted by

are liable to suffer in consequence of the Conviction & Sentence of

prosecution specified.

Given under my hand and the Great Seal

of the State this 16th day of September

in the year 1819.

David Hoffman

Chillicothe 19th Sept. 1819

Sir

I had the honor to receive your letter of the 19th July

a few days ago with the Copies of the Journals and Docu-

ments stated as accompanying it, in consequence of the

Yellow fever having made its appearance in the City

of Natchez, the offices of the State Government have been

removed to this place, where they will remain until

the health of the City is restored

I am with great respect &

Hon. John Adams

Sec. of State U.S.

David Hoffman

No 42 / 69

Chambersburg 19th Sept. 1819

I have the honour to acknowledge the receipt of your letter of the 17th Inst. with three copies of the Laws passed at the last Session of the Legislature of the State of Pennsylvania

Sam. Freeland
Depty Sec. State of
Pennsylvania

I am with great respect &c.
(Signed) Edward Holmes

Edward Holmes Governor of the State of Pennsylvania

To all who shall see these presents, Greeting

Whereas at a court held in the County of Adams on the 8th day of August last for the Trial of Slaves a Negro Man called Levi the property of a certain [redacted] was convicted of the crime of Robbery and sentenced to suffer death and whereas the court and Jury who tried the said Negro Levi have represented to me that from circumstances that came to their knowledge after the trial and conviction aforesaid they are of opinion that the intercession on the part of the prosecution was not entitled to credit and whereas in consideration of the aforesaid recommendation I did respite and suspend the Execution of the aforesaid sentence until the second day of October next ensuing. Now know ye that I do by virtue of the powers in me vested as Governor of the State aforesaid Pardon the said Negro Levi for the offence aforesaid, and do remit the punishment of death, which in consequence of the aforesaid Conviction, the Court hath adjudged the said Levi to suffer

Given under my hand and the Seal of the State this 22nd day of September in the Year 1819.

(Signed) Edward Holmes

Dear Sir,

I will thank you to transmit to me as soon as it may be con
the Statements of the Situation of the Bank, which some time a
you informed me you would prepare from the monthly retur
The last Statement I received and the only one since the adjourn
of the Legislature, did not state the cash on hand, Mr Pettibone
informed me that he would mention this circumstance to you
that in future they would be made out Conformably to the
Gabriel Jeffries Esqr. I am with great respect &c.
Cashr Bank Mississippi } David Holmes

Dear Sir, Washington 30th September 18[illegible]

I received your letter of the 17th inst. by the last mail a
now enclose to you conformably to your recommendation a
Commission for William Lenoir Esqr as your aid de Camp an
one for Hiram G. Runnells Esqr as Brigade Inspector of the 2nd
Brigade. I expected ere this to have had the pleasure of
seeing you at your own house but have been prevented by
the distressing calamity with which the City of Natchez has
been visited. The disease still exists there but few deaths
happen in consequence of most of the inhabitants having
fled to the country. From what I can learn it appears
an unusual degree of sickness prevails throughout the State
This place to which we have moved the public Offices e
tinues healthy. Many cases of the Yellow Fever have be
brought from Natchez, but no instance has occurred of it
being communicated to any person here. I should be
to hear the state of health that prevails in your part of
Country.

I am &c

Genl Jefferson } David Holmes

Dear Sir Treasury Department 2nd Octr 18[illegible]

Herewith enclosed I have the honor to transmit to you Regulations
to make out, and by no means wish you to incur the trouble
by going to the Bank for the Books.

I am with respect &c.

(Signed) David Holmes

Gabl Jefferson Esqr

David Holmes Governor of the State of Mississippi

To all who shall see these presents

Be it known that Daniel Burton Esqr whose name is signed to the above certificate Now is Secretary of State in and for the State of Mississippi and that full faith and credit are due to all his acts and attestations as such. And be it further known that Christopher Rankin Esqr has been duly elected from the State aforesaid a member of the House of Representatives of the United States to serve during the Eighteenth Congress

Given under my hand and the seal of the State the 14th day of October 1819 and in the 44th year of the Independence of the United State of America

(Signed) David Holmes

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Sir, Washington 16th October 1819

Some time ago the resignation of Brigadier Genl Bracken was offered and accepted, of which circumstance I directed the Adjt General to inform you. If the Election has not taken place it would be proper in Col Nichols of the 2nd Regmt being the Senior Colonel of the Brigade to order the Regimental Musters

I am &c.

Majr Genl Thomas Hinds David Holmes

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Sir, Washington October 20. 1819.

Captain Jezrill Davenport was committed some time ago to the Jail of Adams County on the charge of having taken a slave in this State from affidavits transmitted to me by the Governor of Kentucky it appears that this same man is charged with having committed a Murder in Scott County in that State. The Executive in pursuance of the Act of Congress has demanded that he be delivered to Alexander McCoy who has been appointed the Agent on the part of the State of Kentucky, to receive him and to convey him to the place where he can be Legally tried for the offence. I think that public justice would be promoted by having Davenport tried with a little delay as it connected with our laws and then to deliver him to the Agent on pursuance of the demand. I will thank you to furnish any information you may possess respecting this affair and your opinion as to the course it will be proper

To Jas. Truax [illegible] Sandy Hill

A. L. Harding Esq.

David Holmes Governor of the State of Mississippi

To the Sheriff of Jefferson County

Whereas Roswell Valentine who was elected a Member of the House of Representatives from the County of Jefferson in the General Assembly of this State, hath deceased, I do therefore issue this Writ, authorizing and directing you to hold an Election in your County, on the first Monday in December next, and the day following, to fill the vacancy occasioned by the death of the said Roswell Valentine, and moreover I do enjoin you to conduct the said Election in all respects conformably to Law.

Given under my hand and the great seal of the State, at the Town of Washington the 25th day of October in the year 1819 and of the Independence of the United States of America the [illegible]

[signed] David Holmes

Town of Washington Oct. 25th

Sir,

I transmit to you a Writ of Election authorizing you to hold an Election to fill the vacancy occasioned by the death of Roswell Valentine Esq. which I will thank you to acknowledge the receipt of by the earliest opportunity

With great respect

Sheriff of Jefferson County. Your ob't

[signed] David Holmes

Sir, Washington 27th October 1819.

I have certified the Rolls conformably to your request and now transmit them to you with the certificate

Maj. Grayson. I am &c.

[signed] David Holmes

C. Nicholas. Paymaster.

Sir,

I have the honor to inclose to you a Commission as Major for John Martin Esq. also Town Commissions conformably to your recommendation of the 19th Inst.

I am &c

Col. Watts, (signed) David Holmes.
11th Regiment.

---

Sir, Town of Washington Oct. 29th 1819.

I have the honor to inclose to you four Commissions conformably to an Election held on the 9th Inst.

With great respect

Your obt. Servt.

Col. 12th Regiment. (signed) David Holmes.

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Sir, Washington 1st Nov. 1819.

I have received your communication of the 26th ult. detailing the circumstances of the unfortunate murder committed in your County by John Martin upon the body of Reuben Grayson. I shall without delay issue a Proclamation offering a Reward for apprehending Martin, which I will have published in this State and the States of Tennessee and North Carolina. It would be proper, however, that I should be furnished with affidavits establishing the fact of the Murder, that I might be prepared to make a demand of the Executive authority of any State wherein he might be apprehended. You will therefore render an additional service to the public by procuring the evidence of the two persons who pursued Martin with a view to prevent his committing the act. Their affidavits ought to be taken before a Justice of the Peace, or of the Quorum, and should state fully the circumstances of the transaction. After they are prepared you will be pleased to forward them to this office, where they can be made authentic by the Seal of the State. The public safety requires that nothing should be left undone to bring such men as Martin to Justice, who, from your statement, it appears, has committed an atrocious crime. Accept my thanks for your communications upon this subject, and believe me to be

with great regard

Your obt. Sr.

Gen.l Patton. (signed) David Holmes

Sir, Town of Washington Nov.r 2. 1819.

I enclose to you an affidavit of Mr. Montgomery, as to the [illegible] of a demand being made upon the Choctaw Nation for satisfaction for the injury he sustained. I cannot, with any certainty, state what passed between Mr. Dinsmoor, & Mr. Montgomery, upon this subject, but I well recollect of being present, when Mr. Dinsmoor read the evidence & statements made by some of the Indians, which, I presume, must have been taken in consequence of his application for satisfaction. Mr. Montgomery is esteemed among his neighbours, as an honest man, and I am persuaded he would not make oath to a fact, unless he believed it to be true. With respect &c

(Signed) David Holmes,

Col. McKee,

Agent Choctaws

P.S. Upon this enquiry, I was unable to procure any information respecting the Indians, who, it was reported, had been murdered, near Natchez.

David Holmes

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Sir, Town of Washington Nov.r 4. 1819

I will thank you to inform me whether you received the Writ of Election issued, to fill the vacancy occasioned by the death of Roswell Bolentine Esq.r and forwarded to you on the 25.th ult.o

Respectfully &c

(Signed) David Holmes.

Sheriff of Jefferson.

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By David Holmes, Governor of the State of Mississippi,

## A Proclamation.

Whereas it has been satisfactorily represented to the Executive of this State, that a certain John Martin did on the 12.th day of October last, wilfully commit the crime of Murder, in the County of Wayne, upon the body of Reuben Grayson — and whereas, justice and humanity, as well as the safety of the Citizens, that the said Martin, who is now a fugitive from Justice, should be brought to trial, I do therefore issue this Proclamation, hereby offering a reward of Two hundred Dollars to any person or persons who shall apprehend

secure in Lock & Key for the Inhabitants, and I do
require all officers, civil and military, and all the good
People of the State, to use their best endeavours to apprehend the
said John Martin, that he may be dealt with according to
Law. Given under my hand, and the Seal of the State,
this sixth day of November, in the year 1839,
L.S. and of the Independence of the United States
the Forty-fourth.

(Signed) David Holmes

John Martin is a stout, well made man considerably
upwards of six feet high, thirty-seven years of age, light hair, blue
eyes, and a thin whiskey, one of his eyes was bruised by being gouged
and a part of one of his ears was bitten off shortly before he escaped.
It is expected that he took the route to Tennessee or North Carolina,
having relations in both of these States. It is not improbable,
however, that he may have made for Pensacola.

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Town of Washington Nov. 9th 1839.

Dear Sir,

I inclose to you five commissions for the County of
Washington, which I will thank you to forward by the earliest
opportunity. The Yellow-fever in the City of Natchez exists
tho' within a few days it has abated considerably. It will not
be safe for the inhabitants to return before cold weather.
I will thank you to acknowledge the receipt of this
communication, and to inform me at the same time,
what has been the general state of health in your
part of the country during the year. I wish to procure
as much information upon this subject from every
section of the State as can be obtained.

I am with great regard Yr. Ob.

Yours ob. Serv.

(Signed) David Holmes.

Gorvell W. Runnels Esq.

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Sir, Nov. 10, 1839

Your offer to resign the appointment of Lieut. Colonel of the
2nd Regiment, which was inclosed to the Adjutant General by
Gen. Bisco, I did not receive until yesterday. You are hereby
informed that your resignation is accepted.

Lieut. Col. Bridges, of the 2nd Regiment

Sir &c

David Holmes.

Sir, Town of Washington Nov. 26. 1819.

Your Letter of the 23d Ult.o I did not receive until yester
I now transmit to you three Commissions conformably to the
Elections which you state were held to fill certain vacan
So soon as the Adjutant General returns I will direc
him to forward to you the Militia laws.

With great respect &c

Col. Lewis (Signed) David Holmes
of the 5th Regiment.

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Sir, Town of Washington Nov.r 26. 1819.

The resignations of Col. John A. Davidson of the 3d Regim
and Lieut. Col. William Bridges of the 2nd Regiment, have
been accepted; you will of course, order Elections to fill the
vacancies. I have the honor to be, with
great respect, Your obt. Servt.

(Signed) David Holmes
Brigadier Genl. Nichols, Comr. in Chief of Militia of
1st Brigade 1st Division. State of Mississippi.

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Town of Washington Nov. 26. 1819.

Sir, Your Letter to the Adjutant General, of the 21st Ult.o I
received yesterday. You will inform Col. Davidson, that his
resignation is accepted. Brigadier Genl. Nichols upon
giving him this information, will of course, issue an order
for an Election to fill the vacancy.

Yours &c

Genl. Hinds. (Signed) David Holmes

P. S. since writing the above I have written to Genl. Nichols
and informed him of the vacancy occasioned by the resig
nation of Col. Davidson and also that occasioned by
resignation of Lieut. Col. Bridges.

D. H.

Sir, Town of Washington Nov.r 19th 1819

Your two letters, one enclosing the resignation of Capt. Atkins' resignation, The other dated 23rd October instant, Inclosing Returns of Two Elections, came to hand in the absence of the Officers to whom they were directed. They were not received at this office, until this yesterday evening, otherwise would have been attended to, at an earlier period. You will inform Capt. Atkins and Ensign Smith that their resignations are accepted. I now enclose to you Commissions for William Rowlin as Ensign, Merrill Holcomb as Captain, and William A. Oneal, as 1st Lieutenant, conformably to the returns you have forwarded.

In future communications to Col. McConnas, upon official business, you will be pleased to direct your letters to him as Adjutant General.

Your &c

(Signed) David Holmes

Col. Witherspoon.

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Town of Washington Nov.r 29th 1819.

Sir,

I yesterday received your letter of the 19th inst. The Commission for Harmon Hammond as Sheriff, and Daniel Bartrick as Coroner of Hancock County, was forwarded on the 21st Inst.r last, and forwarded by the mail. I regret that they did not get to hand in due time. Duplicates of these Commissions are herewith transmitted, the receipt of them, I will thank you to acknowledge.

Sam &c

(Signed) David Holmes.

Elias Carver,

Hancock County.

---

Dear Sir, Town of Washington 29 Nov. 1819

There is a person confined in this County upon the charge of Horse-stealing who has been demanded by the Governor of Kentucky, as a fugitive from Justice. He is charged in that State with the crime of Murder. His name is Israel Donaghue the Agent on the part of Kentucky arrived here about two weeks ago. I refused to deliver the prisoner until he should be tried for the offence committed against the Laws of this State, and the Governor has written to me that he will attend the

a neighborhood of Port Gibson where he will remain until
the heard from me.

I understand you intend to call a Court for the tri
of Criminals, and will thank you to inform me when
expect it will sit.

I presume general confidence will be
toda at the Capitol of the City in the course of a few days
I will write to the Agent upon the subject lest he
become impatient at not hearing from me, and return
without the prisoner.

(Signed) David Holmes

Brevet Lt Colon Taylor

Town of Washington Dec. 9th 1819

Sir

You are hereby directed to inform Capt Daniel May, Lieute
Lieutenants Boyd, Christmas Mathews and Jeremiah Barfield, all
of the 1st Regiment, that their Commissions have been ac
You will also inform Lt Colo Hinkle of the Cavalry that
his resignation is accepted.

I have &c

Gen. Williamson (Signed) Daniel Holmes

Sir

Town of Washington 9th Dec. 1819

I have appointed you a Justice of the Peace
for the County of Claiborne, and now inclose to you a Com
mission to such, which I request you to accept
I am, with great respect
Yours &c
Henry H. Humphreys Esqr. D. Holmes

Sir

Town of Washington 9th Dec. 1819

I have appointed you a Justice of the Peace
for Claiborne County, has been received and is accepted by
appointed by Gov. Holmes to fill the vacancy.

I am &c

Gen. Mansfield. David Holmes

Dear Sir, Jackson 16th Dec. 1819

I have appointed George W. Humphreys to fill the vacancy on the County Court Bench occasioned by the resignation of Col. Willis. The letter enclosing his appointment has been directed to Pontgibaud, and as I am informed he resides some distance from that place, I would request that you will have it forwarded to him by the earliest opportunity.

With great regards

Yours &c &c

D. Holmes

Jno. Moore Esq.

Chief Justice of Claiborne.

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Executive Office, State of Mississippi

Natchez 16. Decr. 1819.

Sir,

I am authorized by an Act of the Legislature to solicit an interchange of laws with the Governor of the several States, and have now the honor in pursuance of the aforesaid Act, to transmit to your Excellency a copy of the laws of this State. I am with great respect,

Your obt. St.

His Excellency David Holmes

The Governor of

Copy to the different Governors of the States

---

David Holmes, Governor of the State of Mississippi;

To the Sheriff of Amite County,

Whereas Henry Hamon, who was elected a Member of the Senate, from the District composed of the County of Amite, in the General Assembly of this State, has resigned his seat, I do therefore issue this Writ authorizing and directing you to hold an Election on the first Monday of January next, and the day following in the said County of Amite to fill the vacancy occasioned by the resignation of the said Henry Hamon. And I do moreover enjoin you to conduct the said Election in all respects conformably to Law.

Given under my hand and the

L.S. Seal of the State, this 18th day of Dec.

Dec. 1819.

Sheriff of Amite County.

/Signed/ David Holmes

Natchez 31st December 1842

Dear Sir

Since writing I received a letter from a Mr Henry Bau
resigning his seat in the Senate of the State, and in
consequence the first opportunity of transmitting to you a
authorizing an Election to be held on the first Monday
January next and the day following, to fill the vacan
I will thank you to acknowledge the receipt of this co
nication by the earliest mail

I am &c

Sheriff of Adams

David Holmes

Dear Sir

I do hereby certify that the above letter, and the writ
therein referred to were by a private conveyance sent P. M.

---

David Holmes, Governor of the State of Mississippi

To the Sheriff of Adams County

Whereas John Wade was returned elected a Member of the House
of Representatives from the County of Adams (exclusive of the
City of Natchez) in the General Assembly of this State, Which
resigned his seat, I do therefore issue this writ authori
and directing you to hold an Election on Friday the 31st
of this present month, and the day following in the said
County of Adams (exclusive of the City of Natchez) to fill the
vacancy occasioned by the resignation of the said John Wade
And, I do moreover, enjoin you to conduct the said
Election in all respects, conformably to Law.

Given under my hand and
the seal of the State, this 30th
of December in the year 1842

(signed) David Holmes

---

Executive office Natchez Dec 31st 1842

Dear Sir

I have had the honor to receive your letter
of the 17th inst. The reasons you assign for tendering your
resignation of the appointment of Major General of the 4th
Division of the Militia, are to me satisfactory.

You are the best judge of your character, and
of the comparative sacrifices you rendered during the late w
Hostilities, which I think will ever command the gratitude
of your Country. I can for a moment doubt that in
taking this step you have been governed by any o
those motives of the

I regret that the conduct of [illegible] should be objected to by an Officer [illegible] in the capacity they have or Gentlemen formerly in that capacity, yet from the considerations you stated, and [illegible] to the usage of this office, I consider it my duty to accept your resignation.

The favourable sentiments you have expressed of my public conduct is to me gratifying. No one has had a better opportunity than yourself of appreciating the motives by which it has been influenced.

I am, Dear General, with respect and regard,

Your obt. Servt.

David Collins.

Gen.l Hon.ble Hinds.

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Dr. Sir,

Hobart Town 29th Decr 1819

I have this moment been informed of a most unpleasant occurrence that has happened near Port Gibson. It appears that a certain [illegible] Sutton, on Friday last killed a Black native Indian, near a Mill about one mile from the Town. Sutton states that the act was committed in self defence. I have however directed that a legal investigation should be had. The Indians are threatening to retaliate, and some apprehensions are entertained that they will carry their threats into execution, unless prevented by your timely interposition. I must therefore request you to repair to my friend the Chief, and to call with him a Jury legally tried, and furnished, if found guilty of the crime, according to our Laws.

I am with respect

Dr. Sir, Your obt. Servt.

Lieut. Bowen R.N. David Collins

Commanding the Macquarie Brig.

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Hobart Town Dec.r 30th 1819.

Dear Sir,

I received your letter by Mr. Rodgers this morning and now enclose to you a form of Taxpayers. The Natives are entitled to forty cents per day for the use and risk of their horses, twenty five cents per day for forage, and rations, for a Month at Eight [illegible] the Officers are entitled to the

same annually pay as before fifty dollars, the same number of Rations per day at Twenty cents, and to Forage at the rate of Ten Dollars per month.

Yours &c

Gen. C. P. Bryson. David Holmes.

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## Governor's Message

Gentlemen of the Senate, and

Gentlemen of the House of Representatives,

We have to regret, fellow citizens, that during the last summer our State in common with the South western part of the Union, suffered in an unusual degree from the disease to which new countries, situated in warm climates, and in progressive state of improvement are often subjected. The frequent and heavy falls of rain during the summer season caused the streams to overflow, and covered the low lands with water, being succeeded by a drought of unusual duration rendered the atmosphere, in consequence of the decay of vegetation in many places unusually unhealthy. In the Country towns, and for several years previous to coming annually more healthy, and other causes that account the sickness, but rarely happens to the same extent we have reason to hope that a recurrence of the calamity will not be often experienced.

Early in September last this City was again visited by the Yellow fever. The timely information of its existence by a highly respectable Physician, saved many from the fatal effects of great portion of the inhabitants retired the Country within a few days after the alarm was given. Many however, could not be persuaded upon to leave home in time to escape the disease. In a fence of duty to their suffering fellow citizens. Whether the disease is really original from local causes, or brought from a distance, is a question concerning which exists much opposite opinion, Reduced from knowledge that in seeking for a preventative by Legislative authority, it would be unsafe to consider either position as perfectly correct. Enough however is known from experience and from well established facts, to guide us upon this subject. First in most instances the disease ca

[illegible] communicated [illegible] the vicinity of cities where it may become [illegible] intercourse may be kept up by the inhabitants of the [illegible] not merely to conduct upon what we have [illegible] the neighbourhood, but upon incidents that have occurred in almost every place where yellow fever has made its appearance within the United States. It would seem therefore, to follow, that whether the disease be of local or distant origin, a peculiar state of the air is necessary to render it endemical. The circumstance of this City during the last summer, as to the causes to which the unhealthy state of the atmosphere is generally attributed, was similar to that of the year Eighteen hundred and seventeen, when it was first affected with yellow fever. Banks of earth having been thrown up, and ponds of water created in carrying on the work of improvement and ameliorating the streets. We have reason therefore, to believe, from the circumstance of the disease never having existed here previous to the commencement of these improvements, from the elevated site of the city, and from the facility with which it can be perfectly drained, that a return of this distressing calamity, with due attention, may hereafter be prevented. I am persuaded, gentlemen, that you will cheerfully grant such additional powers to the constituted authorities of the city as may be deemed requisite in accomplishing so desirable an end.

Notwithstanding, fellow citizens, the calamities of the past season, and the partial pecuniary embarrassments arising from unexpected depressions in the prices of the principal productions of our soil, yet when we reflect that happiness and prosperity are but relative states, we must acknowledge that our unbounded thanksgivings is due to the Author of the Universe for the numerous favors dispensed to our country has been restored to health, agriculture has been rewarded with abundance, and in every industrious occupation of life continues to meet with a due remuneration. But among the blessings bestowed, none has a stronger claim to our gratitude than the liberty, safety and tranquility we enjoy under a system of government which has for its sole object the welfare and prosperity of those from whom it rightfully emanates.

Respected gentlemen, at your present meeting it [illegible] to congratulate you upon the

acquisition of us from the territory occupied by our Indian neighbours. But this desirable object, so intimately connected with the growth and prosperity of the State, has not been attained. I feel confident however, that the Executive government of the United States, to whom the subject is committed, entertains correct views of its importance, and that every reasonable condition will be fulfilled with justice, candour and will continue to be influenced to hasten the present occupancy to dispose of a portion of the country. In the early success of their efforts our interests are deeply involved; the present population being unable, without assistance, to make such internal improvements as are indispensable to their comfort and convenience, or to afford that encouragement to learning which, in a free country, ought ever to be an object of the first moment.

As the time for which I was elected Chief Magistrate of this State will expire before you enter upon the ordinary business of the Session, and as in former communications I solicited the attention of the Legislature to the importance of adopting measures for the promotion of Education, for the improvement of Roads and Highways throughout the State, and for the better administration of public justice by the establishment of a Penitentiary, I do not deem it incumbent upon me at present to submit to your consideration any subject of Legislation except such as are requisite to give further effect to the existing Laws.

The constitution provides for the election of either one or more coroners in each County, who are to hold their offices for two years unless sooner removed. The commissions of persons heretofore appointed and to be appointed, constituting the persons in office to succeed them, will expire before their successor is qualified. As the returns of elections made to the Executive department at different periods, and delays occasionally happen in the transmission of certificates, it will be necessary in order to guard against embarrassments that may arise from these causes, to provide a remedy by law.

The act providing for the Electronic Registration of the General Assembly for the apportionment of Senators and Representatives, does not designate a returning officer for the respective Senatorial Districts which generally con-

[illegible] County, [illegible] the Sheriffs within the district in [illegible] the last general elections, to make [illegible] return to the Secretary of State, and also to canvass the polls, in order to [illegible] the members elected. The necessity, however, of amending the law in this respect is obvious.

Embarrassments have arisen in enforcing the provisions of the act for regulating the importation of slaves. The duty of the officers elected to collect the tax, is not fully defined, and by an incidental decision of one of the honorable judges of the Supreme Court, the tax itself has been declared to be in contravention to the constitution of the United States. In the absence of all doubt upon this subject and to carry the manifest intention of the law more completely into effect, I respectfully suggest to the General Assembly, the policy of exercising the powers, with which they are invested by the constitution, of preventing unconditionally the importation of slaves, as a merchandize. The evil arising from this odious practice, are constantly, tho' imperceptibly, increasing and must ultimately result in consequences of a most serious nature, unless the traffic is entirely prohibited.

In the [illegible] system but few defects have been discovered since the last adjournment of the Legislature. The clause respecting the qualifications of jurors, excludes all persons from serving in that capacity, who have been guilty of any offence infamous. All these are offences against the laws, which neither impeach a want of honesty or of intellect, the propriety of confining the exclusion to such only as have been guilty of treasonable and felonious crimes, must be evident. Where the penalty attached to an offence is only a pecuniary fine, the law authorizes the defendant to be imprisoned, upon its appearing to the court that he is unable to pay the amount. It has been represented to me, by one of the honorable members of the Supreme court, that the operation of this provision not unfrequently defeats the object of public justice. I therefore suggest to the Legislature, the propriety of amending the law, by authorizing the court in such cases, to commute the fine, for imprisonment in proportion to the amount fixed.

The account created between the State and the late Territory of Alabama, in consequence of a provision in the act of Congress for dividing the Mississippi Territory, has been adjusted. The [illegible] upon which the settlement

were made, are explained in a communication to the Legislature of the State of Alabama, upon this subject.

The account for money advanced during the late war for the use of the United States, amounting to something more than four thousand five hundred dollars, has been liquidated.

The quota of arms to which this state is entitled, for the present year, by an act of Congress, being one hundred and fifty six, have been received and deposited with the Quarter Master General. The act under which the arms were procured, makes provision for the arming and equipping the whole body of the militia of the United States, and appropriates for that purpose the annual sum of Two hundred thousand dollars. It also directs that the arms shall be apportioned among the several States and Territories, according to the number of effective militia in each; and that they are to be distributed to the militia in such rules and regulations, as shall be by law prescribed by the legislature of each State and Territory. It therefore devolves upon the General Assembly to adopt the necessary measures to carry into effect the object of this law, passed by the national legislature.

In conformity to a provision of the constitution of the United States, it will be incumbent upon the legislature to provide at the present session, for the Election of Electors of the state to vote for a President and Vice President of the United States.

Of all the returns from the several counties, not as yet been received by the accounting officers are unable to state precisely, the amount of the revenue for the last year. It appears, however, from the returns which have been made, and from an estimate which is presumed to be correct, that the gross amount will not fall short of eight thousand Dollars. The receipts into the Treasury from the 1st day of January 1819, to the 31st day of December last amounted to upwards of Forty five thousand Dollars, including the sum received from the United States, and the disbursements for the same period, amounted to upwards of Forty nine thousand Dollars, (including the loan to Jefferson College and the Interest upon the debt of Twenty thousand dollars due to the Bank of the State. Under the present rate of taxation, the revenue of the State, exclusive of the expenses of collection, may be calculated at fifty thousand Dollars

[illegible] disbursements without [illegible] Thousand dollars, the [illegible] debt due to the Bank can be discharged in two annual payments without embarrassing the fiscal concerns of the State. The balance in the Treasury, on the 31st. day of December last, amounted to Eight Hundred Three hundred and ninety one Dollars, and the amount of revenue assessed for last year, which remains unpaid, is estimated at Twenty six thousand dollars. Of the Twenty thousand dollars, borrowed of the Bank, five thousand were invested in Bank stock, upon which the State received, previous to the 31st. day of December last, two dividends, amounting to Five hundred and fifty Dollars.

The success, fellow citizens, that has thus far attended the political institutions established by the people of the United States, must be a source of grateful contemplation to all who justly appreciate the blessings of liberty. By resorting to the primordial principles upon which the government of the United States, and the governments of the several States, are founded, we can readily discover, that so long as these principles are held sacred, and maintained in the spirit in which they were adopted, that national independence, State sovereignty, and civil liberty, can never be endangered. It is true that an extensive Country presents a variety of interests, each section possessing advantages that invite to enterprise and industry, but as the government of the Union may be considered in the light of a compact entered into by the several States, wherein reciprocal concessions are recognized, these several interests can never be the cause of important conflictions, while the federal constitution, the charter that binds us together, shall be faithfully regarded by those in whom the confidence, and while encroachments upon powers not granted are cautiously avoided. In the intelligence of the American citizens, in their attachment to the Union which constitutes us a nation, happy at home, and respectable abroad, we have a sure pledge that no measures materially affecting one portion of the community for the peculiar advantage or gratification of another, will ever be adopted.

In closing this communication, fellow citizens, I should regret a sensibility which the occasion excites, were I to refrain from offering to the people of the State, and to their

Representatives with whom I have participated in the
counsels of public affairs, my grateful acknowledgments for the
fidelity they have confirmed upon me, & the confidence they have
reposed in me, for the unshaken & uniformly zealous
performance of official duties, and for the generous &
diligent spirit in which my conduct has been generally
seconded. I cannot be expected that I have discharged the duties of
a station of much responsibility, through a long course
of public service, embracing a diversity of circumstances, calculated
to create embarrassment, without committing errors. Whatever
these may have been the importance of these errors to the community
I feel conscious that my conduct has been governed by an
honest desire to cherish the sacred principles of liberty, which
form the basis of political institutions under which we live,
and to advance, so far as depended upon my agency, the
happiness, prosperity and welfare of the people, whose interests
were committed to my care and discretion.

(Signed) David Hall

Middlebury Jan.y 4. 1820

Gentlemen of the Senate and
House of Representatives

I transmit to you a Report from the Secretary of State
containing a list of the persons appointed to offices, during the
recess of the Legislature with copies of the commissions
& other papers. I also lay before you a copy of
a letter from Major General Thomas Rowley tendering his
resignation of the appointment of Major General of the
first Division in the Militia of this State, with
a copy of letters in answer thereto."

(Signed) David Hall

January 4. 1820.